

# **Health and Human Services Appropriations Bill Senate File 2425**

**FINAL ACTION**

April 25, 2008

**An Act relating to and making appropriations for health and human services and including other related provisions and appropriations, providing penalties, making penalties applicable and providing effective, retroactive, and applicability date provisions.**

**Fiscal Services Division  
Legislative Services Agency**

## **NOTES ON BILLS AND AMENDMENTS (NOBA)**

Available on line at <http://www3.legis.state.ia.us/noba/index.jsp>

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## EXECUTIVE SUMMARY NOBA

## SENATE FILE 2425 HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

### FUNDING SUMMARY

- Appropriates a total of \$1,217.8 million from the General Fund and 7,113.6 FTE positions to the Departments of Elder Affairs, Public Health, Human Services, and Veterans Affairs, and the Iowa Veterans Home. This is an increase of \$33.7 million and 141.5 FTE positions compared to the estimated FY 2008 appropriations. This Bill provides supplemental appropriations of \$15.7 million from the IowaCare Account. This Bill provides an FY 2008 General Fund supplemental appropriation of \$7.5 million for the Medicaid Program.
- Appropriates a total of \$521.5 million from other funds. This is an increase of \$37.7 million compared to the estimated FY 2008 appropriations. This includes:
  - \$7.0 million from the Gambling Treatment Fund (GTF) to the Department of Public Health. This is a net decrease of \$474,000 compared to estimated FY 2008 for a decreased amount in the carryforward funds compared to that of previous years. The allocations in the Fund have been changed compared to FY 2008. (Page 7, Line 24 through Page 9, Line 25)
  - \$142.7 million from the Temporary Assistance to Needy Families (TANF) Fund to the Department of Human Services. This is a decrease of \$2.7 million compared to estimated FY 2008. Makes an \$8.5 million TANF FY 2008 supplemental appropriation for child care. (Page 11, Line 12 through Page 18, Line 1; and Page 98, Line 10 through Page 99, Line 29)
  - \$122.1 million from the Senior Living Trust Fund (SLTF) and no change in FTE positions to the Departments of Elder Affairs, Human Services, and Inspections and Appeals, and the Iowa Finance Authority. This is an increase of \$46.8 million and no change in FTE positions compared to estimated FY 2008. (Page 62, Line 35 through Page 64, Line 29)
  - \$624,000 from the Property Tax Relief Fund to the Medicaid Program. This is a new appropriation for FY 2009 for one-time money. (Page 70, Line 27)
  - \$1.3 million from the Pharmaceutical Settlement Account to Medical Contracts. This is a decrease of \$26,000 compared to estimated FY 2008. (Page 64, Line 30)
  - \$112.3 million from the IowaCare Account to the Department of Human Services (DHS), the University of Iowa Hospitals and Clinics, and Polk County Broadlawns Medical Center. This is a decrease of \$6.6 million compared to estimated FY 2008. (Page 65, Line 4 through Page 68, Line 5)
  - There is also an FY 2008 supplemental appropriation of \$15.7 million from the IowaCare Account for the University of Iowa Hospitals and Clinics. (Page 110, Line 11)
  - \$5.1 million from the Health Care Transformation Account (HCTA) to the DHS. This is an increase of \$1.1 million compared to estimated FY 2008. (Page 68, Line 6 through Page 69, Line 29; and Page 105, Line 33)
  - \$2.5 million contingent appropriation from the HCTA for the Medical Assistance Program for FY 2008. (Page 106, Line 10)
  - \$130.4 million from the Health Care Trust Fund to various Departments. This is an increase of \$2.8 million compared to estimated FY 2008. (Page 88, Line 27 through Page 95, Line 4)

## EXECUTIVE SUMMARY NOBA

## SENATE FILE 2425 HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

### MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS

Makes the following General Fund or other fund changes for FY 2008:

- **Department of Elder Affairs:** An increase of \$385,000 from the General Fund and an increase of 3.0 FTE positions compared to estimated FY 2008. (Page 1, Line 10)
- **Department of Public Health:** An increase of \$1.9 million from the General Fund and an increase of 16.8 FTE positions compared to estimated FY 2008. The changes include:
  - A decrease of \$1,080,000 for Addictive Disorders. (Page 3, Line 1)
  - An increase of \$100,000 for Healthy Children and Families. (Page 3, Line 15)
  - An increase of \$400,000 for Chronic Conditions. (Page 4, Line 20)
  - An increase of \$200,000 for Infectious Diseases. (Page 6, Line 2)
  - An increase of \$315,000 for Public Protection. (Page 6, Line 14)
- **Department of Human Services:** An increase of \$35.8 million from the General Fund and an increase of 118.6 FTE positions compared to estimated FY 2008. The changes include:
  - An increase of \$4.5 million for the Child Support Recovery Unit. (Page 19, Line 33)
  - A net increase of \$32.9 million for the Medical Assistance Program compared to FY 2008. (Page 20, Line 28)
  - A net decrease of \$1.0 million for the State Children's Health Insurance Program. (Page 30, Line 2)
  - An increase of \$3.5 million for the Child Care Assistance Program. Provides transfers for the Program of \$7.1 million. (Page 31, Line 12; and Page 100, Line 6 through Page 101, Line 3)
  - A net increase of \$806,000 for Child and Family Services. (Page 33, Line 27)
  - An increase of \$2.2 million for the Adoption Subsidy Program. (Page 40, Line 32)
  - A net decrease of \$3.7 million for the two State Resource Centers. (Page 43, Line 27 through Page 45, Line 2)
  - An increase of \$2.0 million for the State Cases Program. (Page 45, Line 3)
  - An increase of \$197,000 for the Sexual Predator Commitment Program. (Page 47, Line 23)
  - A net increase of \$1.2 million and 138.5 FTEs for Field Operations and General Administration. (Page 48, Line 11 and Page 48, Line 24)
  - An increase of \$750,000 for Family Planning Services. This is a new appropriation for FY 2009. (Page 49, Line 12)
  - An increase of \$200,000 for Pregnancy Counseling and Support Services. This is a new appropriation for FY 2009. (Page 49, Line 27)

## EXECUTIVE SUMMARY NOBA

## SENATE FILE 2425 HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

### MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

### STUDIES AND INTENT LANGUAGE

- A net increase of \$5.2 million for Mental Health Allowed Growth, including a decrease of \$2.9 million to the appropriation for the Brain Injury Waiver funding in Medicaid. (Page 80, Line 13 through Page 84, Line 34)
- Utilizes \$6.0 million of one-time funds available from the Magellan behavioral health services contract for mental health and child welfare expenditures. (Page 26, Line 22)
- ***Veterans Affairs:*** A decrease of \$4.4 million and an increase of 3.2 FTE positions from the General Fund for the Department of Veterans Affairs compared to estimated FY 2008. This includes:
  - An increase of \$300,000 and 3.2 FTE positions for the Department of Veterans Affairs. (Page 9, Line 33)
  - A decrease of \$4.0 million for the Iowa Veterans Home. (Page 10, Line 8)
  - A decrease of \$150,000 for the County Veterans Grant Program. (Page 10, Line 22)
- ***Department of Public Health:***
  - Permits the DPH to incur start-up costs for licensing of plumbers and mechanical professionals. (Page 7, Line 6)
- ***Department of Veterans Affairs:***
  - Requires the Iowa Veterans Home to submit billings to the DHS on a monthly basis. (Page 10, Line 14)
- ***Department of Human Services:***
  - Requires the DHS to work with Indian tribes to provide services under TANF. (Page 12, Line 25)
  - Requires certain components in FY 2010 and accounting in FY 2009 for the Medicaid behavioral health contract. (Page 26, Line 5)
  - Requires the DHS and providers to reduce the number of guaranteed shelter beds and develop emergency services for children. (Page 35, Line 18)
  - Requires the Chairs of the Health and Human Services Appropriations Subcommittee to convene a work group to review the Medicaid drug product selection process. (Page 60, Line 32)
  - Requires the DHS, in cooperation with the UIHC and Broadlawns, to review the IowaCare Program and develop a plan for continuation, expansion, or elimination beyond June 30, 2010. The report is to be submitted to the Medical Assistance Projections and Assessment Council by December 15, 2008. (Page 70, Line 1)
  - Specifies intent that the FY 2010 county mental health allowed growth will be distributed upon the FY 2008 county Mental Health Fund balances and counties must levy a minimum of 90.00%. (Page 84, Line 25)

## EXECUTIVE SUMMARY NOBA

## SENATE FILE 2425 HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

### STUDIES AND INTENT LANGUAGE (CONTINUED)

### SIGNIFICANT CHANGES TO THE CODE OF IOWA

- Requests the Legislative Council to create an interim task force for mental health funding. (Page 86, Line 14)
- Requires the DHS to appoint an Advisory Committee to propose updating statutory language for the community mental health centers. (Page 87, Line 20)
- ***Board of Regents:***
  - Requires the President of the Board of Regents to convene a workgroup regarding health care treatment for inmates, students, patients, and former inmates. (Page 135, Line 8)
- Transfers non-Juvenile Detention Center allocations to the General Fund under Child Welfare for FY 2009. (Page 33, Line 27)
- Changes the payments for accountability measures for nursing facilities in the event of citations or deficiencies. (Page 57, Line 32)
- Alters the date for inclusion of deposits from the replacement generation tax within the Property Tax Relief Fund from November 1 to May 1 to provide for two property tax payments in the same fiscal year. (Page 71, Line 6)
- Creates an emergency mental health crisis services system and a mental health services system for children in the DHS. (Page 72, Line 8 through Page 79, Line 34)
- Permits the DHS to implement a regional service mental health network pilot project. (Page 84, Line 35)
- Removes the \$500,000 annual carryforward limit for the Iowa Veterans Home. (Page 95, Line 7)
- Supplements the FY 2008 Juvenile Detention Fund with a \$1.0 million transfer from the Healthy Iowans Tobacco Trust and a \$1.0 million FY 2008 transfer from the Department of Human Services (DHS) General Administration appropriation. (Page 95, Line 17 and Page 104, Line 16)
- Strikes the requirement for DHS to adjust the pharmacy dispensing fee to compensate for any harm done by the Federal Deficit Reduction Act of 2005. (Page 104, Line 26)
- Requires the Department of Administrative Services and the DHS to develop a policy to permit certain board or commission members to receive prepaid expenses. (Page 120, Line 12)
- Limits the implementation of the Brain Injury Cost Share Program to available funding. (Page 111, Line 23 through Page 113, Line 7)
- Creates an Early Childhood Iowa Advisory Council. (Page 113, Line 8 through Page 116, Line 11)
- Requires certain background and criminal checks for certain hospital and health care facility employees. (Page 116, Line 31 through Page 125, Line 27)
- Requires the DHS to withhold family support subsidy payments when a certain termination appeal is in process. (Page 126, Line 6)

## EXECUTIVE SUMMARY NOBA

## SENATE FILE 2425 HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

### SIGNIFICANT CHANGES TO THE CODE OF IOWA (CONTINUED)

- Requires the DHS, the Department of Management, and the Legislative Services Agency to develop a joint process for Child Care and Adoption Subsidy Programs expenditure projections. (Page 126, Line 12)
- Allows DHS the use of necessary services to remove conditions creating danger for a dependent. (Page 126, Line 28)
- Provides the courts the power to appoint a temporary guardian when a dependent adult lacks the capacity to consent to the receipt of services. (Page 127, Line 5)
- Requires the DHS to include marital and family therapists and Master Social Workers to be reimbursed for services in the Medicaid Program. (Page 129, Line 19)
- Requires certain third party health insurers to provide certain information to the State regarding individuals covered by the insurer. Permits the Department of Human Services to adopt administrative rules for this information sharing process. (Page 130, Line 3)
- Changes the quarterly meeting for the Medical Assistance Projections and Assessment Council to an annual meeting. (Page 131 Line 18)
- Creates an Iowa Autism Council in the Department of Education. (Page 132, Line 11)
- Provides certain State unclaimed property be eligible to be used to offset child support obligations. (Page 134, Line 27)
- Requires the Department of Education to establish a tuition pilot program for persons serving individuals with disabilities. (Page 137, Line 2)
- Requires DHS to provide certain foster care children with recent health and education records. (Page 138, Line 23)
- Extends a consent decree timeframe from six months to a year and permits the court to determine if a child has been informed of their right to attend a hearing. (Page 138, Line 23 through Page 139, Line 20)
- Requires the County Medical Examiner to conduct a preliminary investigation for certain deaths at DHS facilities. (Page 139, Line 23)
- **Department of Public Health:** \$137,000 from the General Fund is carried forward to FY 2009 and \$1.5 million from the HCTF is carried forward to FY 2009. (Various)
- **Department of Veterans Affairs:** \$4.6 million from the General Fund is carried forward to FY 2009. (Page 95, Line 7; Page 96, Line 5 through Line 23; Page 97, Line 23; and Page 97, Line 35)
- **Department of Human Services:** \$1.0 million of FY 2008 funds is transferred from the Department and \$13.9 million is carried forward to FY 2009. (Various Pages)
- Reduces the FY 2008 TANF FIP appropriation by \$8.5 million and increases the TANF Child Care Assistance appropriation by \$8.5 million. (Page 98, Lines 14 and 19)

### FY 2008 CARRYFORWARD OR SUPPLEMENTALS

## EXECUTIVE SUMMARY NOBA

## SENATE FILE 2425 HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

### FY 2008 CARRYFORWARD OR SUPPLEMENTALS (CONTINUED)

- Appropriates \$230,000 from the Health Care Transformation Account for FY 2008 for Broadlawns Medical Center in Polk County for the IowaCare Program. (Page 105, Line 33)
- Transfers the FY 2008 funds remaining from the various FY 2008 Brain Injury Program funds to the Medical Assistance Program for FY 2009. (Page 106, Line 15)
- Appropriates \$7.5 million supplemental for the Medical Assistance Program. (Page 109, Line 6)
- Eliminates the FY 2008 General Fund appropriation to the Psychiatric Hospital at the University of Iowa and increases the FY 2008 Medicaid appropriation by the same amount for purposes of the IowaCare Program. Modifies the Disproportionate Share Program for purposes of the IowaCare Program. Increases the IowaCare FY 2008 appropriation by \$15.7 million to the University of Iowa Hospitals and Clinics. (Page 108, Line 12 through Page 111, Line 9)

### EFFECTIVE DATES

- The following changes take effect on enactment.  
(Page 62, Line 8; Page 95, Line 5 through Page 108, Line 8):
  - Requirement that the DHS and juvenile court services develop an FY 2009 funding distribution plan by June 15, 2008.
  - Requirement that the Chairpersons of the Health and Human Services Appropriations Subcommittee convene a Medicaid drug product selection workgroup.
  - Removal of the \$500,000 annual carryforward limit for the Iowa Veterans Home.
  - Transfer of \$1.0 million from the Healthy Iowans Tobacco Trust to the Juvenile Detention Fund.
  - Carryforward of FY 2007 child welfare decategorization funding to supplement FY 2009 child welfare funds.
  - Carryforward of FY 2008 Vietnam Veterans Bonus funding to FY 2009 for the same purpose.
  - Carryforward of FY 2007 Injured Veterans Grant Program funding to FY 2009 for the same purpose.
  - Carryforward of FY 2008 Livable Communities Initiative to FY 2009 for the same purpose.
  - Carryforward of FY 2008 funding for phenylketonuria (PKU) to FY 2009 for the same purpose.
  - Carryforward of FY 2008 funding for the antiviral stockpile expenditures to FY 2009 for the same purpose.
  - Carryforward of FY 2008 funding for the Department of Veterans Affairs to FY 2009 for various expenditures.
  - Carryforward of FY 2008 funding for the Veteran County Grant Program to FY 2009 for the same purpose.
  - Change of \$6.5 million of FY 2008 TANF funds from the FIP to the Child Care Assistance Program.

**EXECUTIVE SUMMARY  
NOBA**

**SENATE FILE 2425  
HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL**

**EFFECTIVE DATES (CONTINUED)**

- Transfer of FY 2008 hawk-i Trust Fund money to the Child Care Assistance Program for FY 2009.
- Carryforward of certain FY 2008 child welfare funds to FY 2009 for the Child Care Assistance Program.
- Changes to the distribution of FY 2008 funds from the Juvenile Detention Fund.
- Carryforward of FY 2008 DHS State Cases funds to the DPH for Addictive Disorders in FY 2009.
- Carryforward of FY 2008 DHS Sexually Violent Predator funds to FY 2009 for the same purpose.
- Carryforward of FY 2008 funds for DHS Field Operations and General Administration.
- Elimination of a reference to changes in the federal Deficit Reduction Act for the pharmacy dispensing fee.
- Transfer of the remaining FY 2008 Brain Injury Program funding to the FY 2009 Medical Assistance Program.
- Appropriation of the FY 2008 Health Care Transformation Account funds to Polk County Broadlawns Medical Center for administrative costs.
- Carryforward of DPH FY 2008 Health Care Trust Fund appropriations to FY 2009 for the same purposes.
- Carryforward of DHS FY 2008 Health Care Trust Fund hawk-i appropriation to FY 2009 for the same purpose.
- The following changes take effect on a specified date:
  - Eliminating the FY 2008 appropriation to the University of Iowa Psychiatric Hospital and increasing the FY 2008 Medical Assistance Program by the same amount. Division VI includes additional language for the transition of these funds to the IowaCare Program and related appropriations. The changes are retroactive to December 21, 2007. (Page 111, Line 6)
- This Bill was approved by the General Assembly on April 25, 2008.

**ENACTMENT DATE**



Senate File 2425 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
11	1	4.3	Nwthstnd	Sec. 8.33	Nonreversion of FY 2009 Veterans County Grant Program Funds
11	34	5.2	Nwthstnd	Sec. 8.33	Nonreversion of Contract Services Funds
12	13	5.3	Nwthstnd	Sec. 8.33	FY 2008 FaDSS carryforward
19	6	7.4	Nwthstnd	Sec. 8.39	DHS Authority to Transfer TANF Funds
32	34	14.9	Nwthstnd	Sec. 8.33	Carryforward of FY 2009 Child Care Appropriation
35	18	16.7	Nwthstnd	Sec. All	Shelter Care Bed Funding
36	2	16.8	Nwthstnd	Sec. 8.33	Carryforward of Federal and State Child Welfare Funds in FY 2010
36	32	16.10(c)	Nwthstnd	Sec. All	Juvenile Court District Child Welfare Funds Allocation
37	6	16.10(d)	Nwthstnd	Sec. All	Juvenile Court Funding Limitations
37	22	16.10(e)	Nwthstnd	Sec. All	County Juvenile Funding Limitations
41	9	17.3	Nwthstnd	Sec. 8.33	Carryforward of Adoption Subsidy Funding
41	20	18	Nwthstnd	Sec. 232.142(3)	Juvenile Detention Center Funding
45	25	23.3	Nwthstnd	Sec. 8.33	State Cases Program Carryforward
54	11	32.1(j)	Nwthstnd	Sec. All	Anesthesiologist Reimbursement Rate Increase
54	16	32.1(k)	Nwthstnd	Sec. 249A.20	Provider Rates
57	1	32.9(b)	Nwthstnd	Sec. 232.141(8)	Reimbursement Rates
57	32	33	Amends	Sec. 4.4; Chapter 192, 2001 Iowa Acts	Nursing Facility Reimbursements and Direct Care Compensation
60	2	33	Amends	Sec. 4.4; Chapter 192, 2001 Iowa Acts	Nursing Facility Reimbursements and Direct Care Compensation
63	12	36.2	Nwthstnd	Sec. 249H.7	Maximizing Federal Funds for Elderly
66	7	44.1(b)	Nwthstnd	Sec. All	IowaCare Appropriation Payments
67	10	44.3	Nwthstnd	Sec. All	IowaCare Appropriation Payments
69	22	45.9	Nwthstnd	Sec. 8.39(1)	Health Care Transformation Account Transfer
71	6	49	Amends	Sec. 426B.2(3)	Property Tax Relief Fund Warrants

Page #	Line #	Bill Section	Action	Code Section	Description
71	27	50	Nwthstnd	Sec. 8.33	Nonreversion of Medicaid Supplemental Appropriation
72	8	51	Adds	Sec. 225C.5(1)(ii)	Board Member Requirement
72	14	52	Adds	Sec. 225C.19	Emergency Mental Health Crisis Services System
74	24	53	Adds	Sec. 225C.51	Definitions for Mental Health Crisis Services System
75	25	54	Adds	Sec. 225C.52	Children Mental Health System
77	24	55	Adds	Sec. 225C.53	Implementation of Children Mental Health System
78	15	56	Adds	Sec. 225C.54	Children Mental Health System
79	35	57	Amends	Sec. 331.439(1)(a), Code Supplement 2007	Mental Health County Expenditures
80	18	58	Amends	Sec. 1.1, Chapter 215, 2007 Iowa Acts	Mental Health Funding
80	33	58	Amends	Sec. 1.2, Chapter 215, 2007 Iowa Acts	Mental Health Funding
81	9	59	Adds	Sec. 1.3, Chapter 215, 2007 Iowa Acts	Mental Health Funding
82	9	59	Adds	Sec. 1.4, Chapter 215, 2007 Iowa Acts	Mental Health Funding
82	15	59	Adds	Sec. 1.5-1.7, Chapter 215, 2007 Iowa Acts	Mental Health Funding
84	25	59	Adds	Sec. 1.8, Chapter 215, 2007 Iowa Acts	Mental Health Funding
84	35	59	Amends	Sec. 1.9, Chapter 215, 2007 Iowa Acts	Mental Health Pilot Project
95	7	65	Amends	Sec. 35D.18(5)	Veterans Home Carryforward
95	26	67	Amends	Sec. 17.4, Chapter 1184, 2006 Iowa Acts	Carryforward of Decategorization Funds
96	6	68	Amends	Sec. 3, Chapter 176, 2007 Iowa Acts	Vietnam Veteran Bonus Carryforward
96	15	69	Amends	Sec. 1.4, Chapter 203, 2007 Iowa Acts	Injured Veterans Grant Program Carryforward

Page #	Line #	Bill Section	Action	Code Section	Description
96	26	70	Amends	Sec. 32.4, Chapter 215, 2007 Iowa Acts	Carryforward of DEA Community Initiative Funds
97	12	72	Amends	Sec. 2.8(d), Chapter 218, 2007 Iowa Acts	Carryforward of FY 2008 DPH Antiviral Stockpile Funds
97	23	73	Amends	Sec. 4.1, Chapter 218, 2007 Iowa Acts	Department of Veterans Affairs Carryforward
97	35	74	Amends	Sec. 4.4, Chapter 218, 2007 Iowa Acts	County Veteran Grant Program Carryforward
98	14	75	Amends	Sec. 7.1, Chapter 218, 2007 Iowa Acts	FY 2008 TANF Appropriation
98	19	75	Amends	Sec. 7.7, Chapter 218, 2007 Iowa Acts	FY 2008 TANF Appropriation
99	8	76	Amends	Sec. 7.3(b), Chapter 218, 2007 Iowa Acts	Family Investment Program Carryforward
99	20	77	Amends	Sec. 8.4(d), Chapter 218, 2007 Iowa Acts	Elimination of Transitional Benefit Program Appropriation
99	31	78	Amends	Sec. 15(4), Chapter 218, 2007 Iowa Acts	State Children's Health Insurance Carryforward
100	8	79	Amends	Sec. 18.3, Chapter 218, 2007 Iowa Acts	Child Care Funding Technical Change
100	22	80	Amends	Sec. 18.5A, Chapter 218, 2007 Iowa Acts	Child Welfare Funding FY 2008 Carryforward for Child Care
100	35	81	Amends	Sec. 18.9, Chapter 218, 2007 Iowa Acts	Increase in FY 2008 Protective Child Care Funds Limitation
101	4	82	Amends	Sec. 20, Chapter 218, 2007 Iowa Acts	FY 2008 Juvenile Detention Fund Allocation Changes
102	32	83	Amends	Sec. 25.3, Chapter 218, 2007 Iowa Acts	State Cases FY 2008 Carryforward to DPH Addictive Disorders
103	9	84	Amends	Sec. 26.6, Chapter 218, 2007 Iowa Acts	FY 2008 DHS General Administration Funds to DPH Addictive Disorders
103	32	85	Amends	Sec. 27, Chapter 218, 2007 Iowa Acts	Sexual Predator Commitment Program Carryforward
104	5	86	Adds	Sec. 28.4, Chapter 218, 2007 Iowa Acts	DHS Field Operations FY 2008 Carryforward

Page #	Line #	Bill Section	Action	Code Section	Description
104	16	87	Adds	Sec. 29.4, Chapter 218, 2007 Iowa Acts	DHS General Administration FY 2008 Carryforward
104	19	87	Adds	Sec. 29.5, Chapter 218, 2007 Iowa Acts	DHS FY 2008 General Administration Carryforward
104	26	88	Amends	Sec. 31.1(b)(1 and 2), Chapter 218, 2007 Iowa Acts	Pharmacy Dispensing Fee
105	14	89	Amends	Sec. 72, Chapter 218, 2007 Iowa Acts	Center for Congenital and Inherited Disorders FY 2008 Reappropriation
105	33	90	Amends	Sec. 74.8, Chapter 218, 2007 Iowa Acts	IowaCare Broadlawns Hospital Costs
106	10	90	Amends	Sec. 74.9, Chapter 218, 2007 Iowa Acts	Medicaid Contingent Appropriation
106	15	91	Amends	Sec. 83.2(c), Chapter 218, 2007 Iowa Acts	Brain Injury Program FY 2008 Carryforward
106	32	92	Amends	Sec. 97.1, Chapter 218, 2007 Iowa Acts	FY 2008 Cultural Competency Substance Abuse Carryforward
107	8	93	Amends	Sec. 97.2, Chapter 218, 2007 Iowa Acts	FY 2008 Tissue Bank Carryforward
107	19	94	Adds	Sec. 97.3(dd), Chapter 218, 2007 Iowa Acts	Nonreversion of Chronic Conditions Appropriation
107	31	95	Amends	Sec. 98.2, Chapter 218, 2007 Iowa Acts	State Children's Health Insurance Program Carryforward
108	5	96	Repeals	Sec. 239B.11A	Transitional Benefit Program Repealed
108	12	98	Amends	Sec. 9.2(b), Chapter 214, 2007 Iowa Acts	Psychiatric Hospital Appropriation
108	23	99	Amends	Sec. 15, Chapter 215, 2007 Iowa Acts	Psychiatric Hospital Salary Money
108	35	100	Amends	Sec. 15, Chapter 215, 2007 Iowa Acts	Psychiatric Hospital Appropriation
109	6	101	Amends	Sec. 11, Chapter 218, 2007 Iowa Acts	FY 2008 Medicaid Appropriation
109	17	102	Amends	Sec. 11(17-19), Chapter 218, 2007 Iowa Acts	Medicaid Allocation

Page #	Line #	Bill Section	Action	Code Section	Description
110	11	103	Amends	Sec. 73.2, Chapter 218, 2007 Iowa Acts	IowaCare Appropriation
111	12	105	Amends	Sec. 28.9(5)	First Years First Account Name Change
111	23	106	Amends	Sec. 135.22B(3-4), Code Supplement 2007	Brain Injury Cost Share Services Program
112	19	107	Amends	Sec. 135.22B(5), Code Supplement 2007	Brain Injury Cost Share Services Program
112	30	108	Amends	Sec. 135.22B(8)(a), Code Supplement 2007	Brain Injury Cost Share Services Program
113	8	109	Adds	Sec. 135.155	Early Childhood Iowa Advisory Council
116	12	110	Adds	Sec. 135.156	Lead Agency for Early Childhood Iowa Council
116	31	111	Amends	Sec. 135B.34	Background Checks for Hospital Employees
120	15	112	Amends	Sec. 135C.33	Background Checks for Health Care Employees
125	28	113	Adds	Sec. 217.19	Human Services Board and Commission Expenses
126	6	114	Adds	Sec. 225C.40(4)	Family Support Subsidy Payments
126	12	115	Adds	Sec. 234.47	Child Care and Adoption Expense Estimates
126	20	116	Adds	Sec. 235B.6(2)(f)	Dependent Adult Abuse Information
126	28	117	Amends	Sec. 235B.19(3)(b)	Provides additional clarification for dependent adult abuse.
127	5	118	Amends	Sec. 235B.19(4)	Provides additional clarification for dependent adult abuse.
128	16	119	Adds	Sec. 237A.3(3)	Child Care Single Family Residence
128	27	120	Adds	Sec. 237A.3A(3)(d)	Child Development Single Family Homes
129	4	121	Adds	Sec. 237A.5(2)(cc)	Child Care Facilities Personnel Record Checks
129	17	122	Repeals	Sec. 237A.13(8), Code Supplement 2007	Repeals Wrap Around Funding for Child Care Facilities
129	19	113	Adds	Sec. 249A.15A	Licensed Marital and Family Therapists and Social Workers Eligible for Medicaid Payments
130	3	124	Adds	Sec. 249A.36	Health Insurance Information Sharing
131	18	125	Amends	Sec. 249J.20(2 and 4)	Meetings of Medical Assistance Projections and Assessment Council
132	11	126	Adds	Sec. 256.35A	Iowa Autism Council

Page #	Line #	Bill Section	Action	Code Section	Description
134	27	127	Amends	Sec. 642.2(4)	Child Support Recovery of Unclaimed Property
135	8	128	Amends	Sec. 61, Chapter 167, 2005 Iowa Acts	Inmate Health Care Study
138	23	131	Amends	Sec. 232.2(4)(e), Code Supplement 2007	Juvenile Court Proceedings
138	33	132	Amends	Sec. 232.46(4)	Consent Decree Timeframe
139	9	133	Amends	Sec. 232.91(3), Code Supplement 2007	Court Determination of Notice for Child Hearings
139	23	134	Adds	Sec. 218.64	Investigation of Death
139	32	135	Amends	Sec. 222.12	Investigation of Deaths at Private Institutions
140	31	136	Amends	Sec. 226.34	Investigation of Deaths at a Mental Health Institute
141	18	137	Amends	Sec. 331.802(2)	Conforming Language for Death Investigations
142	16	138	Adds	Sec. 331.802(3)(k)	Death Investigation Duties of County Medical Examiners
142	25	140	Amends	Sec. 256.7	Board of Education Administrative Rules for Nutritional Food Content
143	3	141	Amends	Sec. 256.9	Director of Education Nutritional Standards Duties
144	18	142	Amends	Sec. 256.11(6)	Student Physical Activity Requirements
145	18	143	Amends	Sec. 273.2	Area Education Agency Nutritional Staff Requirements

1 1 DIVISION I  
1 2 GENERAL FUND AND BLOCK GRANT APPROPRIATIONS

1 3 ELDER AFFAIRS

1 4 Section 1. DEPARTMENT OF ELDER AFFAIRS. There is  
1 5 appropriated from the general fund of the state to the  
1 6 department of elder affairs for the fiscal year beginning July  
1 7 1, 2008, and ending June 30, 2009, the following amount, or so  
1 8 much thereof as is necessary, to be used for the purposes  
1 9 designated:

General Fund appropriation to the Department of Elder Affairs.

1 10 For aging programs for the department of elder affairs and  
1 11 area agencies on aging to provide citizens of Iowa who are 60  
1 12 years of age and older with case management for the frail  
1 13 elderly only if the monthly cost per client for case  
1 14 management for the frail elderly services provided does not  
1 15 exceed an average of \$70, resident advocate committee  
1 16 coordination, employment, and other services which may include  
1 17 but are not limited to adult day services, respite care, chore  
1 18 services, telephone reassurance, information and assistance,  
1 19 and home repair services, and for the construction of entrance  
1 20 ramps which make residences accessible to the physically  
1 21 handicapped, and for salaries, support, administration,  
1 22 maintenance, and miscellaneous purposes, and for not more than  
1 23 the following full-time equivalent positions:  
1 24 ..... \$ 5,251,698  
1 25 ..... FTEs 40.50

General Fund appropriation to the Department of Elder Affairs for FY 2009.

DETAIL: This is an increase of \$385,000 and 3.00 FTE positions compared to the estimated FY 2008 appropriation. This includes:

- A decrease of \$15,000 to eliminate one-time funding for the Alzheimer's Task Force.
- An increase of \$200,000 for the Elder Abuse Initiative to expand current initiatives.
- An increase of \$200,000 for the Aging Disability Resource Center to replace the loss of federal project funds.

1 26 1. Funds appropriated in this section may be used to  
1 27 supplement federal funds under federal regulations. To  
1 28 receive funds appropriated in this section, a local area  
1 29 agency on aging shall match the funds with moneys from other  
1 30 sources according to rules adopted by the department. Funds  
1 31 appropriated in this section may be used for elderly services

Permits the use of funds appropriated in this Subsection to supplement federal funds for elderly services if those services are approved by an Area Agency on Aging. Requires local Area Agencies on Aging to match the funds for aging programs and services.

1 32 not specifically enumerated in this section only if approved  
1 33 by an area agency on aging for provision of the service within  
1 34 the area.

1 35 2. Of the funds appropriated in this section, \$2,788,223  
2 1 shall be used for case management for the frail elderly. Of  
2 2 the funds allocated in this subsection, \$1,385,015 shall be  
2 3 transferred to the department of human services in equal  
2 4 amounts on a quarterly basis for reimbursement of case  
2 5 management services provided under the medical assistance  
2 6 elderly waiver. The department of human services shall adopt  
2 7 rules for case management services provided under the medical  
2 8 assistance elderly waiver in consultation with the department  
2 9 of elder affairs. The monthly cost per client for case  
2 10 management for the frail elderly services provided shall not  
2 11 exceed an average of \$70.

Requires an allocation of \$2,788,223 for the Case Management Program for the Frail Elderly, and requires \$1,385,015 of the allocation to be transferred to the Department of Human Services (DHS) in equal amounts on a quarterly basis for Case Management reimbursement under the Medicaid Elderly Waiver. In addition, the DHS is required to adopt rules for Case Management services in consultation with the Department of Elder Affairs. Limits the monthly cost per client to \$70.

DETAIL: Maintains current allocation and transfer levels.

2 12 3. Of the funds appropriated in this section, \$200,198  
2 13 shall be transferred to the department of economic development  
2 14 for the Iowa commission on volunteer services to be used for  
2 15 the retired and senior volunteer program.

Requires a transfer of \$200,198 to the Iowa Commission on Volunteer Services in the Department of Economic Development for the Retired Senior Volunteer Program (RSVP).

DETAIL: Maintains current allocation level.

2 16 4. Of the funds appropriated in this section, \$130,000  
2 17 shall be used to continue to fund additional long-term care  
2 18 resident's advocate positions.

Requires an allocation of \$130,000 to fund two additional Long-Term Care Ombudsmen.

DETAIL: Maintains current allocation level. The total number of long-term care ombudsmen funded by the Department will continue to be nine.

2 19 5. Of the funds appropriated in this section, \$250,000  
2 20 shall be used for continuation of the substitute decision  
2 21 maker Act pursuant to chapter 231E.

Requires an allocation of \$250,000 to implement a State Office of Substitute Decision Maker and two local offices.

DETAIL: Maintains the current allocation level.



2 22 6. Of the funds appropriated in this section, \$200,000  
 2 23 shall be used to replace federal funding for the aging and  
 2 24 disability resource center.

Requires an allocation of \$200,000 to replace federal funding for the aging and disability resource center.

DETAIL: This is a new allocation for FY 2009.

2 25 7. Of the funds appropriated in this section, \$200,000  
 2 26 shall be used to expand the elder abuse initiative program  
 2 27 established pursuant to section 231.56A to additional  
 2 28 counties.

Requires an allocation of \$200,000 to be used to expand the elder abuse initiative program.

DETAIL: This is a new allocation for FY 2009.

## 2 29 HEALTH

2 30 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is  
 2 31 appropriated from the general fund of the state to the  
 2 32 department of public health for the fiscal year beginning July  
 2 33 1, 2008, and ending June 30, 2009, the following amounts, or  
 2 34 so much thereof as is necessary, to be used for the purposes  
 2 35 designated:

### 3 1 1. ADDICTIVE DISORDERS

3 2 For reducing the prevalence of use of tobacco, alcohol, and  
 3 3 other drugs, and treating individuals affected by addictive  
 3 4 behaviors, including gambling, and for not more than the  
 3 5 following full-time equivalent positions:

3 6 ..... \$ 3,082,149  
 3 7 ..... FTEs 6.00

General Fund appropriation to the Addictive Disorders Program.

DETAIL: This is an increase of \$1,080,000 and an increase of 1.65 FTE positions compared to the estimated FY 2008 appropriation. This includes:

- A decrease of \$470,000 for tobacco advertising.
- An increase of \$1,550,000 for tobacco use prevention, cessation, and treatment.

3 8 a. The requirement of section 123.53, subsection 3, is met  
 3 9 by the appropriations made in this Act for purposes of  
 3 10 addictive disorders for the fiscal year beginning July 1,  
 3 11 2008.

Provides that the requirements of section 123.53, Code of Iowa, are met by the appropriations made in the Act.

3 12 b. Of the funds appropriated in this subsection,

Requires \$1,550,000 to be used for tobacco use prevention,

3 13 \$1,550,000 shall be used for tobacco use prevention,	cessation, and treatment.
3 14 cessation, and treatment.	
3 15 2. HEALTHY CHILDREN AND FAMILIES	General Fund appropriation to the Healthy Children and Families Program.
3 16 For promoting the optimum health status for children,	
3 17 adolescents from birth through 21 years of age, and families,	
3 18 and for not more than the following full-time equivalent	
3 19 positions:	DETAIL: This is an increase of \$100,000 and 3.05 FTE positions compared to the FY 2008 appropriation for dental services. An additional \$667,700 is provided to the Healthy Children and Families Program from the HCTF in Division IV. The increase in FTE positions is to reflect actual utilization.
3 20 ..... \$ 2,636,913	
3 21 ..... FTEs 16.00	
3 22 a. Of the funds appropriated in this subsection, not more	Limits the General Fund amount used to fund the Healthy Opportunities for Parents to Experience Success (HOPES) Program to \$645,917. Requires the Department to transfer this funding to the Iowa Empowerment Board for distribution and management. The funds are required to be distributed to the grantees that received funding in FY 2008.
3 23 than \$645,917 shall be used for the healthy opportunities to	
3 24 experience success (HOPES)=healthy families Iowa (HFI) program	
3 25 established pursuant to section 135.106. The department shall	
3 26 transfer the funding allocated for the HOPES=HFI program to	
3 27 the Iowa empowerment board for distribution and shall assist	
3 28 the board in managing the contracting for the funding. The	DETAIL: Maintains current allocation level.
3 29 funding shall be distributed to renew the grants that were	
3 30 provided to the grantees that operated the program during the	
3 31 fiscal year ending June 30, 2008.	
3 32 b. Of the funds appropriated in this subsection, \$325,000	Allocates \$325,000 for the Assuring Better Child Health and Development (ABCD II) Program.
3 33 shall be used to continue to address the healthy mental	
3 34 development of children from birth through five years of age	
3 35 through local evidence-based strategies that engage both the	DETAIL: Maintains current allocation level from the General Fund. An additional \$200,000 is allocated from the appropriation to the Healthy Children and Families Program from the HCTF in Division IV.
4 1 public and private sectors in promoting healthy development,	
4 2 prevention, and treatment for children.	
4 3 c. Of the funds appropriated in this subsection, \$100,000	Allocates \$100,000 for an Iowa mother's milk bank.
4 4 is allocated for distribution to the children's hospital of	
4 5 Iowa mother's milk bank.	DETAIL: Maintains current allocation level.
4 6 d. Of the funds appropriated in this subsection, \$40,000	Allocates \$40,000 for dental services for indigent elderly and disabled

4 7 shall be distributed to a statewide dental carrier to provide  
 4 8 funds to continue the donated dental services program  
 4 9 patterned after the projects developed by the national  
 4 10 foundation of dentistry for the handicapped to provide dental  
 4 11 services to indigent elderly and disabled individuals.

individuals.

DETAIL: Maintains current allocation level.

4 12 e. Of the funds appropriated in this subsection, \$100,000  
 4 13 shall be transferred to the university of Iowa college of  
 4 14 dentistry for provision of primary dental services to  
 4 15 children. State funds shall be matched on a dollar-for-dollar  
 4 16 basis. The university of Iowa college of dentistry shall  
 4 17 coordinate efforts with the department of public health bureau  
 4 18 of oral health to provide dental care to underserved  
 4 19 populations throughout the state.

Allocation of \$100,000 for dental services for children. Requires the DPH to transfer the funds to the University of Iowa College of Dentistry. Requires the College to match the funds one-for-one. Requires the College to coordinate efforts with the DPH.

DETAIL: This is a new allocation for FY 2009.

### 4 20 3. CHRONIC CONDITIONS

4 21 For serving individuals identified as having chronic  
 4 22 conditions or special health care needs, and for not more than  
 4 23 the following full-time equivalent positions:  
 4 24 ..... \$ 2,242,840  
 4 25 ..... FTEs 5.00

General Fund appropriation to the Chronic Conditions Program.

DETAIL: This is an increase of \$400,000 and 0.70 FTE position compared to the estimated FY 2008 appropriation. An additional \$1,164,181 is provided to the Chronic Conditions Program from the HCTF in Division IV. The change includes:

- An increase of \$500,000 for transfer of Brain Injury funds from the mental health allowed growth funding for two existing contracts to continue in FY 2009.
- A decrease of \$100,000 to reflect carryforward of funds for phenylketonuria (PKU) assistance that will be available in FY 2009.
- An increase of 0.70 FTE position to reflect actual utilization.

4 26 a. Of the funds appropriated in this subsection, \$100,000  
 4 27 shall be used for grants to individual patients who have  
 4 28 phenylketonuria (PKU) to assist with the costs of necessary  
 4 29 special foods.

Allocates \$100,000 for Phenylketonuria (PKU) assistance.

DETAIL: This allocation includes the FY 2008 carryforward funds for PKU from the General Fund. Additional funds of \$100,000 are provided in SF 2417 (FY 2009 Healthy Iowans Tobacco Trust Fund).

4 30 b. Of the funds appropriated in this subsection, \$500,000

Allocates \$500,000 for continuation of the two contracts from FY 2008

4 31 is allocated for continuation of the contracts for resource  
 4 32 facilitator services in accordance with section 135.22B,  
 4 33 subsection 10, and for brain injury training services and  
 4 34 recruiting of service providers to increase the capacity  
 4 35 within this state to address the needs of individuals with  
 5 1 brain injuries and such individuals' families.

in the DPH's Brain Injury Services Program.

5 2 4. COMMUNITY CAPACITY

General Fund appropriation to the Community Capacity Program.

5 3 For strengthening the health care delivery system at the  
 5 4 local level, and for not more than the following full-time  
 5 5 equivalent positions:

5 6 ..... \$ 1,760,532  
 5 7 ..... FTEs 12.00

DETAIL: Maintains current level of funding and provides an increase of 1.25 FTE positions. An additional \$2,790,000 is allocated from the appropriation to the Community Capacity Program from the HCTF in Division IV. The additional FTE positions are to reflect actual utilization.

5 8 a. Of the funds appropriated in this subsection, \$100,000  
 5 9 is allocated for a child vision screening program implemented  
 5 10 through the university of Iowa hospitals and clinics in  
 5 11 collaboration with community empowerment areas.

Requires an allocation of \$100,000 for a Child Vision Screening program through the University of Iowa Hospitals and Clinics in collaboration with Community Empowerment areas.

DETAIL: Maintains current allocation level.

5 12 b. Of the funds appropriated in this subsection, \$159,700  
 5 13 is allocated for an initiative implemented at the university  
 5 14 of Iowa and \$140,300 is allocated for an initiative at the  
 5 15 state mental health institute at Cherokee to expand and  
 5 16 improve the workforce engaged in mental health treatment and  
 5 17 services. The initiatives shall receive input from the  
 5 18 university of Iowa, the department of human services, the  
 5 19 department of public health, and the mental health, mental  
 5 20 retardation, developmental disabilities, and brain injury  
 5 21 commission to address the focus of the initiatives. The  
 5 22 department of human services, the department of public health,  
 5 23 and the commission shall receive regular updates concerning  
 5 24 the status of the initiatives.

Requires an allocation of \$159,700 for a University of Iowa initiative to expand and improve the mental health treatment and services workforce. Requires an allocation of \$140,300 for the same type of initiative at the Mental Health Institute at Cherokee. Specifies the entities required to contribute input for the initiative and that these entities are to receive regular updates on the initiative.

DETAIL: Maintains current allocation levels.

5 25 5. ELDERLY WELLNESS

General Fund appropriation to the Elderly Wellness Program.

5 26	For promotion of healthy aging and optimization of the	
5 27	health of older adults:	DETAIL: Maintains current level of General Fund support.
5 28	..... \$ 9,233,985	
5 29	6. ENVIRONMENTAL HAZARDS	General Fund appropriation to the Environmental Hazards Program.
5 30	For reducing the public's exposure to hazards in the	
5 31	environment, primarily chemical hazards, and for not more than	DETAIL: Maintains the current level of funding and provides an
5 32	the following full-time equivalent positions:	increase of 0.25 FTE position compared to the estimated FY 2008
5 33	..... \$ 747,960	appropriation. The FTE change is to reflect actual utilization.
5 34	..... FTEs 2.00	
5 35	Of the funds appropriated in this subsection, \$121,000	
6 1	shall be used for childhood lead poisoning provisions.	Requires an allocation of \$121,000 for child blood lead testing.
		DETAIL: Maintains current allocation level.
6 2	7. INFECTIOUS DISEASES	General Fund appropriation to the Infectious Diseases Program.
6 3	For reducing the incidence and prevalence of communicable	
6 4	diseases, and for not more than the following full-time	DETAIL: This is an increase of \$200,000 and 1.25 FTE positions
6 5	equivalent positions:	compared to the estimated FY 2008 appropriation. The change
6 6	..... \$ 1,858,286	includes:
6 7	..... FTEs 7.00	<ul style="list-style-type: none"> <li>• An increase of \$200,000 for additional vaccine funding.</li> <li>• An increase of 1.25 FTE positions to reflect actual utilization.</li> </ul>
6 8	a. Of the funds appropriated in this subsection, an	
6 9	increase of \$200,000 is provided for the purchasing of	Requires \$200,000 of the funds appropriated to be used for the
6 10	vaccines for immunizations.	purchase of immunization vaccines in addition to the FY 2008 funding
		available.
6 11	b. Of the funds appropriated in this subsection, \$100,000	
6 12	shall be used to fund the position of bureau chief for the	Allocates \$100,000 to fund the position of Bureau Chief for the Center
6 13	center for acute disease epidemiology (CADE).	for Acute Disease Epidemiology (CADE).
		DETAIL: Maintains the current allocation level.
6 14	8. PUBLIC PROTECTION	General Fund appropriation to the Public Protection Program.

6 15 For protecting the health and safety of the public through  
 6 16 establishing standards and enforcing regulations, and for not  
 6 17 more than the following full-time equivalent positions:  
 6 18 ..... \$ 3,161,013  
 6 19 ..... FTEs 128.00

DETAIL: This is an increase of \$315,355 and 2.10 FTE positions compared to the estimated FY 2008 appropriation. The change includes:

- An increase of \$200,000 for one-time funding for startup costs for plumbing and mechanical contractor licensing.
- An increase of \$162,500 to replace the loss of funds from the Hospital Trust Fund in FY 2008 for the Coalition Against Sexual Assault.
- An increase of 2.10 FTE positions to reflect actual utilization.
- A decrease of \$10,000 from the one-time transfer of 211 Funds to Community Capacity.
- A decrease of \$37,145 from the carryforward of the antiviral stockpile for vaccines and other medical supplies.

6 20 a. Of the funds appropriated in this subsection, \$643,500  
 6 21 shall be credited to the emergency medical services fund  
 6 22 created in section 135.25. Moneys in the emergency medical  
 6 23 services fund are appropriated to the department to be used  
 6 24 for the purposes of the fund.

Requires \$643,500 to be allocated to the Emergency Medical Services Fund.

DETAIL: Maintains current allocation level. The funds are used for training and equipment provided through the Emergency Medical Services (EMS) Program.

6 25 b. Of the funds appropriated in this subsection, \$23,810  
 6 26 shall be used for the office of the state medical examiner.

Requires an allocation of \$23,810 for additional funding for the State Medical Examiner's Office.

DETAIL: Maintains the current allocation level.

6 27 c. Of the funds appropriated in this subsection, \$150,000  
 6 28 shall be used for management of the antiviral stockpile.

Requires an allocation of \$150,000 to manage the antiviral stockpile for vaccines and other medical supplies the DPH has purchased for storage in the event of disease outbreaks.

DETAIL: Maintains current allocation level.

6 29 d. Of the funds appropriated in this subsection, \$262,500

Requires an allocation of \$262,500 to provide program funding for

6 30 shall be used for sexual violence prevention programming  
 6 31 through a statewide organization representing programs serving  
 6 32 victims of sexual violence through the department's sexual  
 6 33 violence prevention program. The amount allocated in this  
 6 34 paragraph "d" shall not be used to supplant funding  
 6 35 administered for other sexual violence prevention or victims  
 7 1 assistance programs.

sexual violence prevention.

DETAIL: This is an increase of \$162,500 compared to the estimated FY 2008 allocation. This maintains the current allocation level from the FY 2008 General Fund appropriation and the FY 2008 Hospital Trust Fund appropriation.

7 2 e. Of the funds appropriated in this subsection, \$200,000  
 7 3 shall be used for start-up costs to implement licensing of  
 7 4 plumbers and mechanical professionals in accordance with 2007  
 7 5 Iowa Acts, chapter 198.

Requires \$200,000 to be used for start-up costs to implement licensing for plumbers and mechanical professionals.

DETAIL: This is a new allocation for FY 2009.

7 6 f. The department may incur expenses for start-up costs to  
 7 7 implement licensing of plumbers and mechanical professionals  
 7 8 in accordance with 2007 Iowa Acts, chapter 198, provided the  
 7 9 amounts expended are covered by the close of the fiscal year  
 7 10 through the repayment receipts from license fees.

Permits the Department of Public Health to use current budgetary resources to fund expenses related to licensing of plumbers and mechanics. Requires the expenditures to be offset by licensing revenues by the end of FY 2009.

#### 7 11 9. RESOURCE MANAGEMENT

7 12 For establishing and sustaining the overall ability of the  
 7 13 department to deliver services to the public, and for not more  
 7 14 than the following full-time equivalent positions:

7 15 ..... \$ 1,205,933  
 7 16 ..... FTEs 10.00

General Fund appropriation to the Resource Management Program.

DETAIL: Maintains current level of funding and provides an increase of 1.00 FTE position compared to the estimated FY 2008 appropriation for administration of tobacco-related programs. The increase in FTE positions is to reflect actual utilization.

7 17 Of the funds appropriated in this subsection, \$150,150  
 7 18 shall be used for administration of tobacco-related programs.

Requires an allocation of \$150,150 for the administration of tobacco-related programs.

DETAIL: Maintains current allocation level.

7 19 The university of Iowa hospitals and clinics under the  
 7 20 control of the state board of regents shall not receive  
 7 21 indirect costs from the funds appropriated in this section.

Prohibits the University of Iowa Hospitals and Clinics (UIHC) from receiving indirect cost reimbursement from General Fund appropriations to the Department of Public Health. Requires the UIHC

7 22 The university of Iowa hospitals and clinics billings to the  
7 23 department shall be on at least a quarterly basis.

to submit billings on a quarterly basis for FY 2009.

7 24 Sec. 3. GAMBLING TREATMENT FUND == APPROPRIATION.

Gambling Treatment Fund appropriations to the Department of Public Health for FY 2009.

7 25 1. In lieu of the appropriation made in section 135.150,  
7 26 subsection 1, there is appropriated from funds available in  
7 27 the gambling treatment fund created in section 135.150 to the  
7 28 department of public health for the fiscal year beginning July  
7 29 1, 2008, and ending June 30, 2009, the following amount, or so  
7 30 much thereof as is necessary, to be used for the purposes  
7 31 designated:

7 32 To be utilized for the benefit of persons with addictive  
7 33 disorders:

Gambling Treatment Fund appropriation for the Addictive Disorders Program.

7 34 ..... \$ 1,690,000

DETAIL: This is a decrease of \$525,000 compared to the estimated FY 2008 appropriation to reflect the availability of carryforward funds from the previous fiscal year.

7 35 It is the intent of the general assembly that from the  
8 1 moneys appropriated in this subsection persons with a dual  
8 2 diagnosis of substance abuse and gambling addictions shall be  
8 3 given priority in treatment services. The amount appropriated  
8 4 in this subsection includes moneys credited to the fund in  
8 5 previous fiscal years.

Specifies it is the intent of the General Assembly that individuals with a diagnosis of both substance abuse and gambling addiction are required to be given priority in treatment services from the funds appropriated in this Section.

8 6 2. In addition to the appropriation made in subsection 1,  
8 7 there is appropriated from funds available in the gambling  
8 8 treatment fund created in section 135.150 to the department of  
8 9 public health for the fiscal year beginning July 1, 2008, and  
8 10 ending June 30, 2009, the following amount, or so much thereof  
8 11 as is necessary, to be used for the purposes designated:

Gambling Treatment Fund appropriation for substance abuse treatment for persons with addictions.

8 12 To be utilized for the benefit of substance abuse treatment  
8 13 for persons with addictions:

DETAIL: This is a new appropriation for FY 2009.

8 14 ..... \$ 525,000



8 15 The amount appropriated in this subsection is one-time  
8 16 funding from moneys remaining in the gambling treatment fund  
8 17 from the carryforward of appropriations made for addictive  
8 18 disorders in previous fiscal years.

Specifies the amount appropriated is one-time funding from a carryforward from the Gambling Treatment Fund.

8 19 3. The amount remaining in the gambling treatment fund  
8 20 after the appropriations are made in subsections 1 and 2, is  
8 21 appropriated to the department to be used for funding of  
8 22 administrative costs and to provide programs which may include  
8 23 but are not limited to outpatient and follow-up treatment for  
8 24 persons affected by problem gambling, rehabilitation and  
8 25 residential treatment programs, information and referral  
8 26 services, education and preventive services, and financial  
8 27 management services. Of the amount appropriated in this  
8 28 subsection, up to \$100,000 may be used for the licensing of  
8 29 gambling treatment programs as provided in section 135.150.

Gambling Treatment Fund allocation for Gambling Treatment. Requires the remaining balance in the Gambling Treatment Fund, after the appropriation to the Addictive Disorders Program, to be appropriated to the Gambling Treatment Program. Permits up to \$100,000 to be used for the licensure of gambling treatment programs.

DETAIL: It is estimated that a total of \$4,780,398 will be available for gambling treatment services in FY 2009. This is a decrease of \$474,877 to reflect the availability of a carryforward from FY 2008. It is estimated that \$670,408 will carry forward from FY 2008 to FY 2009 from the Gambling Treatment Fund and will be available for gambling treatment. This carryforward will provide an increase of \$192,521 for Gambling treatment compared to the estimated FY 2008 expenditures.

8 30 4. Notwithstanding any provision to the contrary, to  
8 31 standardize the availability, delivery, cost of delivery, and  
8 32 accountability of gambling and substance abuse treatment  
8 33 services statewide, the department shall implement a process  
8 34 to create a system for delivery of the treatment services. To  
8 35 ensure the system provides a continuum of treatment services  
9 1 that best meets the needs of lowans, the gambling and  
9 2 substance abuse treatment services in an area may be provided  
9 3 either by a single agency or by separate agencies submitting a  
9 4 joint proposal. The process shall be completed by July 1,  
9 5 2010.  
9 6 a. The process shall include the establishment of joint  
9 7 licensure for gambling and substance abuse treatment programs  
9 8 that includes one set of standards, one licensure survey,  
9 9 comprehensive technical assistance, and appropriately  
9 10 credentialed counselors to support the following goals:

Specifies the DPH implement a process to create a system for delivery of treatment services. Requires the process to include the establishment of joint licensure for gambling and substance abuse treatment programs.

9 11 (1) Gambling and substance abuse treatment services are  
9 12 available to lowans statewide.

Specifies all substance abuse treatments are available to all lowans.

9 13 (2) To the greatest extent possible, outcome measures are  
9 14 uniform statewide for both gambling and substance abuse  
9 15 treatment services and include but are not limited to  
9 16 prevalence indicators, service delivery areas, financial  
9 17 accountability, and longitudinal clinical outcomes.

Provides measurement standards for addictive disorders service providers.

9 18 (3) The costs to deliver gambling and substance abuse  
9 19 treatment services in the system are based upon best practices  
9 20 and are uniform statewide.

Provides costs for substance abuse treatment to be based on best practices and be uniform statewide.

9 21 b. From the amounts appropriated in this section and from  
9 22 other funding sources available for gambling and substance  
9 23 abuse treatment, the department may allocate up to \$100,000  
9 24 for administrative costs to develop and implement the process  
9 25 in accordance with this subsection.

Permits the Department of Public Health to allocate up to \$100,000 for administrative costs to develop and implement the processes in accordance with this Subsection.

#### 9 26 DEPARTMENT OF VETERANS AFFAIRS

9 27 Sec. 4. DEPARTMENT OF VETERANS AFFAIRS. There is  
9 28 appropriated from the general fund of the state to the  
9 29 department of veterans affairs for the fiscal year beginning  
9 30 July 1, 2008, and ending June 30, 2009, the following amounts,  
9 31 or so much thereof as is necessary, to be used for the  
9 32 purposes designated:

9 33 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION  
9 34 For salaries, support, maintenance, and miscellaneous  
9 35 purposes, including the war orphans educational assistance  
10 1 fund created in section 35.8, and for not more than the  
10 2 following full-time equivalent positions:

General Fund appropriation to the Department of Veteran Affairs.

DETAIL: This is an increase of \$300,000 and 3.20 FTE positions compared to the estimated FY 2008 appropriation. This includes:

- An increase of \$150,000 to replace one-time FY 2007

PG LN	Senate File 2425	Explanation
10 3	..... \$ 1,163,457	carryforward for two staff positions.
10 4	..... FTEs 17.20	<ul style="list-style-type: none"> <li>An increase of \$150,000 and 3.20 FTE positions for the third year of the three-year development of the Iowa Veterans Cemetery.</li> </ul>
10 5	Of the amount appropriated in this subsection, \$50,000 is	Requires \$50,000 of the Veterans Department appropriation to be
10 6	allocated for continuation of the veterans counseling program	allocated for a Veterans Counseling Program.
10 7	established pursuant to section 35.12.	DETAIL: Maintains current level of allocation.
10 8	2. IOWA VETERANS HOME	General Fund appropriation to the Iowa Veterans Home.
10 9	For salaries, support, maintenance, and miscellaneous	
10 10	purposes, and for not more than the following full-time	DETAIL: This is a decrease of \$4,034,102 and no change in FTE
10 11	equivalent positions:	positions. This includes:
10 12	..... \$ 12,694,154	<ul style="list-style-type: none"> <li>A decrease of \$1,034,102 to reflect the additional federal revenue in FY 2009 received from State FY 2008 salary funding.</li> </ul>
10 13	..... FTEs 951.95	<ul style="list-style-type: none"> <li>A decrease of \$3,000,000 to reflect the historical carryforward from the general operating budget that is no longer necessary for the Construction Account.</li> </ul>
10 14	The Iowa veterans home billings involving the department of	Requires the Iowa Veterans Home to submit monthly claims relating
10 15	human services shall be submitted to the department on at	to Medicaid to the Department of Human Services.
10 16	least a monthly basis.	
10 17	If there is a change in the employer of employees providing	Requires a new employer to honor an existing collective bargaining
10 18	services at the Iowa veterans home under a collective	agreement at the Iowa Veterans Home.
10 19	bargaining agreement, such employees and the agreement shall	
10 20	be continued by the successor employer as though there had not	
10 21	been a change in employer.	
10 22	3. COUNTY GRANT PROGRAM FOR VETERANS	General Fund appropriation to the County Grant Program for
10 23	For providing grants to counties to provide services to	Veterans.
10 24	living veterans:	
10 25	..... \$ 600,000	DETAIL: This is a decrease of \$150,000 compared to the estimated FY 2008 appropriation. In addition to the appropriation, approximately

\$250,000 of funds will carry over from FY 2008 for use in FY 2009. For FY 2009, counties are not required to match the grant with \$10,000 from a county or required to utilize the \$10,000 State funds for "new" services as was required for the FY 2008 grant process.

10 26 The department shall establish or continue a grant  
 10 27 application process and shall require each county applying for  
 10 28 a grant to submit a plan for utilizing the grant for providing  
 10 29 services for living veterans. The maximum grant to be awarded  
 10 30 to a county shall be \$10,000. Each county receiving a grant  
 10 31 shall submit a report to the department identifying the impact  
 10 32 of the grant on providing services to veterans as specified by  
 10 33 the department. The department shall submit a report to the  
 10 34 general assembly by October 1, 2008, concerning the impact of  
 10 35 the grant program on services to veterans.

Requires the Department of Veteran Affairs to continue the grant application process for the County Grant Program. Requires a report by October 1, 2008.

11 1 Notwithstanding section 8.33, moneys appropriated in this  
 11 2 subsection that remain unencumbered or unobligated at the  
 11 3 close of the fiscal year shall not revert to the fund from  
 11 4 which appropriated but shall be credited to the veterans trust  
 11 5 fund.

CODE: Requires the funds remaining from the FY 2008 appropriation for the Veterans County Grant Program to be credited to the Veterans Trust Fund in lieu of reversion to the State General Fund.

11 6 4. STATE EDUCATIONAL ASSISTANCE == CHILDREN OF DECEASED  
 11 7 VETERANS  
 11 8 For provision of educational assistance pursuant to section  
 11 9 35.9:  
 11 10 ..... \$ 27,000

General Fund appropriation for the State Educational Assistance for Children of Deceased Veterans Program.

DETAIL: Maintains current level of funding.

#### 11 11 HUMAN SERVICES

11 12 Sec. 5. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK  
 11 13 GRANT. There is appropriated from the fund created in section  
 11 14 8.41 to the department of human services for the fiscal year  
 11 15 beginning July 1, 2008, and ending June 30, 2009, from moneys

Temporary Assistance for Needy Families (TANF) FY 2009 Block Grant Fund appropriation.

DETAIL: The federal government implemented Federal Welfare

11 16 received under the federal temporary assistance for needy  
 11 17 families (TANF) block grant pursuant to the federal Personal  
 11 18 Responsibility and Work Opportunity Reconciliation Act of  
 11 19 1996, Pub. L. No. 104=193, and successor legislation, which  
 11 20 are federally appropriated for the federal fiscal years  
 11 21 beginning October 1, 2007, and ending September 30, 2008, and  
 11 22 beginning October 1, 2008, and ending September 30, 2009, the  
 11 23 following amounts, or so much thereof as is necessary, to be  
 11 24 used for the purposes designated:

Reform on August 22, 1996. Federal Welfare Reform changed the funding for the Family Investment Program (FIP) from a matching program to a block grant of federal funds. The TANF Program was reauthorized on February 8, 2006, with work participation rates extended to separate State programs and the elimination of high performance bonuses; however, Iowa's grant remains the same at \$131,524,959 per year.

11 25 1. To be credited to the family investment program account  
 11 26 and used for assistance under the family investment program  
 11 27 under chapter 239B:  
 11 28 ..... \$ 26,101,513

TANF FY 2009 Block Grant appropriation for the Family Investment Program (FIP) Account.

DETAIL: This is a decrease of \$2,289,431 compared to the estimated FY 2008 appropriation.

11 29 2. To be credited to the family investment program account  
 11 30 and used for the job opportunities and basic skills (JOBS)  
 11 31 program and implementing family investment agreements in  
 11 32 accordance with chapter 239B:  
 11 33 ..... \$ 13,334,528

TANF FY 2009 Block Grant appropriation for the PROMISE JOBS Program.

DETAIL: This is a decrease of \$1,658,512 compared to the estimated FY 2008 appropriation.

11 34 Notwithstanding section 8.33, not more than 5 percent of  
 11 35 the moneys designated in this subsection that are allocated by  
 12 1 the department for contracted services, other than family  
 12 2 self=sufficiency grant services allocated under this  
 12 3 subsection, that remain unencumbered or unobligated at the  
 12 4 close of the fiscal year shall not revert but shall remain  
 12 5 available for expenditure for the purposes designated until  
 12 6 the close of the succeeding fiscal year. However, unless such  
 12 7 moneys are encumbered or obligated on or before September 30,  
 12 8 2009, the moneys shall revert.

CODE: Requires nonreversion of not more than 5.00% of funds allocated for contract services.

12 9 3. To be used for the family development and  
 12 10 self=sufficiency grant program in accordance with 2008 Iowa

TANF FY 2009 Block Grant appropriation for the Family Development and Self Sufficiency (FaDSS) Program.

12 11 Acts, House File 2328:	DETAIL: Maintains current level of TANF support.
12 12 ..... \$ 2,998,675	
12 13 Notwithstanding section 8.33, moneys appropriated in this	CODE: Requires nonreversion of funds allocated for the FaDDS
12 14 subsection that remain unencumbered or unobligated at the close	Grant Program.
12 15 of the fiscal year shall not revert but shall remain available	
12 16 for expenditure for the purposes designated until the close of	
12 17 the succeeding fiscal year. However, unless such moneys are	
12 18 encumbered or obligated on or before September 30, 2009, the	
12 19 moneys shall revert.	
12 20 4. For field operations:	TANF FY 2009 Block Grant appropriation for Field Operations.
12 21 ..... \$ 18,507,495	
	DETAIL: This is an increase of \$800,000 compared to the estimated
	FY 2008 appropriation.
12 22 Of the funds appropriated in this subsection, \$800,000 is	Allocates \$800,000 for additional Social Workers and Income
12 23 allocated for additional income maintenance workers and social	Maintenance Workers.
12 24 workers.	
12 25 It is the intent of the general assembly that the	Specifies legislative intent that the Department work with Indian tribes
12 26 department work with Indian tribes providing services under	to provide services under TANF for Indians that reside outside the
12 27 the federal Temporary Assistance for Needy Families block	reservation. The Department is to establish a formula to provide
12 28 grant to Indians who reside in Iowa but live outside the	matching funds for expenditures made by the tribes for TANF services
12 29 reservation to establish a formula for providing match funding	and provide recommendations for implementation of the formula
12 30 for the expenditures made by the tribes for such services.	beginning FY 2010.
12 31 The department shall provide recommendations regarding	DETAIL: This is a new requirement for FY 2009.
12 32 implementation of the formula beginning in FY 2009=2010 to the	
12 33 governor and the persons designated by this Act to receive	
12 34 reports. For the purposes of this paragraph, "Indian",	
12 35 "reservation", and "Indian tribe" mean the same as defined in	
13 1 section 232B.3.	
13 2 5. For general administration:	TANF FY 2009 Block Grant appropriation for General Administration.

13 3 ..... \$ 3,744,000

DETAIL: Maintains current level of TANF support.

13 4 6. For local administrative costs:

13 5 ..... \$ 2,189,830

TANF FY 2009 Block Grant appropriation for Local Administrative Costs.

DETAIL: Maintains current level of TANF support.

13 6 7. For state child care assistance:

13 7 ..... \$ 27,886,177

TANF FY 2009 Block Grant appropriation for Child Care Assistance.

DETAIL: This is an increase of \$8,900,000 compared to the estimated FY 2008 appropriation.

13 8 a. Of the funds appropriated in this subsection,  
 13 9 \$18,986,177 shall be transferred to the child care and  
 13 10 development block grant appropriation made in 2008 Iowa Acts,  
 13 11 Senate File 2286, if enacted, for the federal fiscal year  
 13 12 beginning October 1, 2008, and ending September 30, 2009. Of  
 13 13 this amount, \$200,000 shall be used for provision of  
 13 14 educational opportunities to registered child care home  
 13 15 providers in order to improve services and programs offered by  
 13 16 this category of providers and to increase the number of  
 13 17 providers. The department may contract with institutions of  
 13 18 higher education or child care resource and referral centers  
 13 19 to provide the educational opportunities. Allowable  
 13 20 administrative costs under the contracts shall not exceed 5  
 13 21 percent. The application for a grant shall not exceed two  
 13 22 pages in length.

Requires the (DHS) to use \$200,000 for training of registered child care home providers. Permits the DHS to contract with colleges or child care resource centers and specifies requirements for funding the grants and the application form for the grant.

13 23 b. Any funds appropriated in this subsection remaining  
 13 24 unallocated shall be used for state child care assistance  
 13 25 payments for individuals enrolled in the family investment  
 13 26 program who are employed.

Specifies that any unallocated funds be used for child care assistance for families enrolled in the FIP program.

13 27 8. For mental health and developmental disabilities

TANF FY 2009 Block Grant appropriation for Mental Health and

13 28	community services:	Developmental Disabilities Community Services.
13 29	..... \$ 4,894,052	DETAIL: Maintains current level of TANF support.
13 30	9. For child and family services:	TANF FY 2009 Block Grant appropriation for Child and Family Services.
13 31	..... \$ 32,084,430	DETAIL: Maintains current level of TANF support.
13 32	10. For child abuse prevention grants:	TANF FY 2009 Block Grant appropriation for Child Abuse Prevention Grants.
13 33	..... \$ 250,000	DETAIL: Maintains current level of TANF support.
13 34	11. For pregnancy prevention grants on the condition that	TANF FY 2009 Block Grant appropriation for pregnancy prevention grants if family planning services are funded.
13 35	family planning services are funded:	
14 1	..... \$ 1,930,067	DETAIL: Maintains current level of TANF support.
14 2	Pregnancy prevention grants shall be awarded to programs in	Requires the recipients of pregnancy prevention grants to meet
14 3	existence on or before July 1, 2008, if the programs are	certain requirements of comprehensiveness and demonstration of
14 4	comprehensive in scope and have demonstrated positive	positive outcomes. Requires pregnancy prevention grants from the
14 5	outcomes. Grants shall be awarded to pregnancy prevention	TANF to include the requirement that sexual abstinence be
14 6	programs which are developed after July 1, 2008, if the	emphasized. Specifies that priority in awarding the grants should be
14 7	programs are comprehensive in scope and are based on existing	given to programs in areas of the State that have the highest
14 8	models that have demonstrated positive outcomes. Grants shall	percentage of unplanned adolescent pregnancies of females of
14 9	comply with the requirements provided in 1997 Iowa Acts,	childbearing age within the geographic area served by the grant.
14 10	chapter 208, section 14, subsections 1 and 2, including the	
14 11	requirement that grant programs must emphasize sexual	
14 12	abstinence. Priority in the awarding of grants shall be given	
14 13	to programs that serve areas of the state which demonstrate	
14 14	the highest percentage of unplanned pregnancies of females of	
14 15	childbearing age within the geographic area to be served by	
14 16	the grant.	



14 17 12. For technology needs and other resources necessary to  
 14 18 meet federal welfare reform reporting, tracking, and case  
 14 19 management requirements:  
 14 20 ..... \$ 1,037,186

TANF FY 2009 Block Grant appropriation for federal welfare reform reporting, tracking, and case management technology and resource needs.

DETAIL: Maintains current level of TANF support.

14 21 13. For the healthy opportunities for parents to  
 14 22 experience success (HOPES) program administered by the  
 14 23 department of public health to target child abuse prevention:  
 14 24 ..... \$ 200,000

TANF FY 2009 Block Grant appropriation for the Healthy Opportunities for Parents to Experience Success (HOPES) Program.

DETAIL: Maintains current level of TANF support.

14 25 14. To be credited to the state child care assistance  
 14 26 appropriation made in this section to be used for funding of  
 14 27 community-based early childhood programs targeted to children  
 14 28 from birth through five years of age developed by community  
 14 29 empowerment areas as provided in section 28.9:  
 14 30 ..... \$ 7,350,000

TANF FY 2009 Block Grant appropriation to fund community-based programs for children from birth to age five as developed by community empowerment areas.

DETAIL: Maintains current level of TANF support.

14 31 The department shall transfer TANF block grant funding  
 14 32 appropriated and allocated in this subsection to the child  
 14 33 care and development block grant appropriation in accordance  
 14 34 with federal law as necessary to comply with the provisions of  
 14 35 this subsection.

Requires the DHS to transfer TANF funds to the Child Care and Development Block Grant.

15 1 15. For a pilot program established in one or more  
 15 2 judicial districts, selected by the department and the  
 15 3 judicial council, to provide employment and support services  
 15 4 to delinquent child support obligors as an alternative to  
 15 5 commitment to jail as punishment for contempt of court:  
 15 6 ..... \$ 200,000

TANF FY 2009 Block Grant appropriation for a pilot program for delinquent child support obligors.

DETAIL: Maintains the current level of TANF support.

15 7 Of the amounts appropriated in this section, \$12,962,008  
 15 8 for the fiscal year beginning July 1, 2008, shall be  
 15 9 transferred to the appropriation of the federal social

Requires that \$12,962,008 of the federal TANF funds appropriated in this Section be transferred to the federal Social Services Block Grant appropriation.

15 10 services block grant for that fiscal year.

DETAIL: Maintains current level of TANF support.

15 11 The department may transfer funds allocated in this section  
15 12 to the appropriations in this Act for general administration  
15 13 and field operations for resources necessary to implement and  
15 14 operate the services referred to in this section and those  
15 15 funded in the appropriation made in this division of this Act  
15 16 for the family investment program from the general fund of the  
15 17 state.

Permits the DHS to transfer funds to general administration and field operations for costs associated with TANF-funded Programs and the Family Investment Program (FIP).

15 18 Sec. 6. FAMILY INVESTMENT PROGRAM ACCOUNT.

15 19 1. Moneys credited to the family investment program (FIP)  
15 20 account for the fiscal year beginning July 1, 2008, and ending  
15 21 June 30, 2009, shall be used to provide assistance in  
15 22 accordance with chapter 239B.

Requires funds credited to the Family Investment Program (FIP) Account for FY 2009 to be used as specified.

15 23 2. The department may use a portion of the moneys credited  
15 24 to the FIP account under this section as necessary for  
15 25 salaries, support, maintenance, and miscellaneous purposes.

Permits the DHS to use FIP funds for various administrative purposes.

15 26 3. The department may transfer funds allocated in this  
15 27 section to the appropriations in this Act for general  
15 28 administration and field operations for resources necessary to  
15 29 implement and operate the services referred to in this section  
15 30 and those funded in the appropriation made in this division of  
15 31 this Act for the family investment program from the general  
15 32 fund of the state.

Permits the DHS to transfer funds to general administration and field operations for costs associated with this Section.

15 33 4. Moneys appropriated in this division of this Act and  
15 34 credited to the FIP account for the fiscal year beginning July

Requires that TANF Block Grant funds appropriated to the FIP Account be allocated as specified.

15 35 1, 2008, and ending June 30, 2009, are allocated as follows:

16 1 a. To be retained by the department of human services to  
 16 2 be used for coordinating with the department of human rights  
 16 3 to more effectively serve participants in the FIP program and  
 16 4 other shared clients and to meet federal reporting  
 16 5 requirements under the federal temporary assistance for needy  
 16 6 families block grant:  
 16 7 ..... \$ 20,000

Allocates \$20,000 to the DHS to be used for administrative services.

16 8 b. To the department of human rights for staffing,  
 16 9 administration, and implementation of the family development  
 16 10 and self=sufficiency grant program in accordance with 2008  
 16 11 Iowa Acts, House File 2328:  
 16 12 ..... \$ 5,563,042

Allocates \$5,563,042 of the FY 2009 General Fund appropriation and TANF funds to the Department of Human Rights for the Family Development and Self-Sufficiency (FaDSS) Grant Program.

DETAIL: Maintains current level of TANF support.

16 13 (1) Of the funds allocated for the family development and  
 16 14 self=sufficiency grant program in this lettered paragraph, not  
 16 15 more than 5 percent of the funds shall be used for the  
 16 16 administration of the grant program.

Specifies that a maximum of 5.00% of the allocation be spent on administration of Family Development and Self-Sufficiency (FaDSS) Program grants.

16 17 (2) The department of human rights may continue to  
 16 18 implement the family development and self=sufficiency grant  
 16 19 program statewide during fiscal year 2008=2009.

Permits the Department of Human Rights to continue to implement the Family Development and Self-Sufficiency Grant Program in FY 2009.

16 20 c. For the diversion subaccount of the FIP account:  
 16 21 ..... \$ 2,814,000

Allocates \$2,814,000 of FY 2008 TANF funds for the FIP Diversion Subaccount.

DETAIL: Maintains current level of TANF support.

16 22 (1) A portion of the moneys allocated for the subaccount  
 16 23 may be used for field operations salaries, data management  
 16 24 system development, and implementation costs and support  
 16 25 deemed necessary by the director of human services in order to

Allows a portion of the FIP Diversion funds to be used to administer the FIP Diversion Program.

16 26 administer the FIP diversion program.

16 27 (2) Of the funds allocated in this lettered paragraph, not  
 16 28 more than \$250,000 shall be used to develop or continue  
 16 29 community-level parental obligation pilot projects. The  
 16 30 requirements established under 2001 Iowa Acts, chapter 191,  
 16 31 section 3, subsection 5, paragraph "c", subparagraph (3),  
 16 32 shall remain applicable to the parental obligation pilot  
 16 33 projects for fiscal year 2008=2009. Notwithstanding 441 IAC  
 16 34 100.8, providing for termination of rules relating to the  
 16 35 pilot projects the earlier of October 1, 2006, or when  
 17 1 legislative authority is discontinued, the rules relating to  
 17 2 the pilot projects shall remain in effect until June 30, 2009.

Requires a maximum of \$250,000 allocated for innovation strategies to be used to develop or continue pilot projects to assist parents in meeting child support obligations. Pilot projects may also attempt to prevent family separations. Requires the projects to maximize use of existing community service resources and encourage local financial contributions. Specifies that the DHS rules governing the pilot project stay in effect until the end of FY 2009.

17 3 d. For the food stamp employment and training program:  
 17 4 ..... \$ 68,059

Allocates \$68,059 of FY 2009 FIP funds to the Food Stamp Employment and Training Program.

DETAIL: Maintains current level of support.

17 5 The department shall amend the food stamp employment and  
 17 6 training state plan in order to maximize to the fullest extent  
 17 7 permitted by federal law the use of the fifty=fifty match  
 17 8 provisions for the claiming of allowable federal matching funds  
 17 9 from the United States department of agriculture pursuant to  
 17 10 the federal food stamp employment and training program for  
 17 11 providing education, employment, and training services for  
 17 12 eligible food assistance program participants, including but  
 17 13 not limited to related dependent care and transportation  
 17 14 expenses.

Requires the Department to amend the Food Stamp Employment and Training State Plan in order to maximize federal matching funds received.

17 15 e. For the JOBS program:  
 17 16 ..... \$ 22,310,116

Permits the DHS to allocate \$22,310,116 of the FY 2009 General Fund appropriation and TANF funds for the PROMISE JOBS Program.

17 17 5. Of the child support collections assigned under FIP, an

Requires the federal share of child support collections recovered by

17 18 amount equal to the federal share of support collections shall  
 17 19 be credited to the child support recovery appropriation. Of  
 17 20 the remainder of the assigned child support collections  
 17 21 received by the child support recovery unit, a portion shall  
 17 22 be credited to the FIP account, a portion may be used to  
 17 23 increase recoveries, and a portion may be used to sustain cash  
 17 24 flow in the child support payments account. If as a result  
 17 25 the appropriations allocated in this section are insufficient  
 17 26 to sustain cash assistance payments and meet federal  
 17 27 maintenance of effort requirements, the department shall seek  
 17 28 supplemental funding. If child support collections assigned  
 17 29 under FIP are greater than estimated or are otherwise  
 17 30 determined not to be required for maintenance of effort, the  
 17 31 state share of either amount may be transferred to or retained  
 17 32 in the child support payment account.

the State to be credited to the Child Support Recovery Unit. The remainder of support collected is credited to the FIP account and the DHS is permitted to use a portion to increase recoveries and to sustain cash flow in the child support payments account.

17 33 6. The department may adopt emergency rules for the family  
 17 34 investment, JOBS, family development and self-sufficiency  
 17 35 grant, food stamp, and medical assistance programs if  
 18 1 necessary to comply with federal requirements.

Permits the DHS to adopt emergency administrative rules for the FIP, Food Stamp Program, and Medical Assistance Program.

18 2 Sec. 7. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is  
 18 3 appropriated from the general fund of the state to the  
 18 4 department of human services for the fiscal year beginning  
 18 5 July 1, 2008, and ending June 30, 2009, the following amount,  
 18 6 or so much thereof as is necessary, to be used for the purpose  
 18 7 designated:  
 18 8 To be credited to the family investment program (FIP)  
 18 9 account and used for family investment program assistance  
 18 10 under chapter 239B:  
 18 11 ..... \$ 42,675,127

General Fund appropriation to the DHS for the FIP, to be credited to the FIP Account.

DETAIL: Maintains current level of General Fund support and a decrease of 16.50 FTE positions. These positions were transferred to DHS General Administration.

The appropriation for the FIP Account also contains funding for the PROMISE JOBS and FaDSS Programs. The appropriation maintains the current FIP payment levels (maximum grants of \$361 per month for a family with two persons and \$426 for a family with three persons).

18 12 1. Of the funds appropriated in this section, \$8,975,588  
 18 13 is allocated for the JOBS program.

General Fund allocation of \$8,975,588 for the PROMISE JOBS and FaDSS Programs.

DETAIL: Maintains current level of General Fund support.

18 14 2. Of the funds appropriated in this section, \$2,584,367  
18 15 is allocated for the family development and self-sufficiency  
18 16 grant program.

General Fund allocation of \$2,584,367 for the FaDSS Program.

DETAIL: Maintains current level of General Fund support.

18 17 3. a. Of the funds appropriated in this section, \$250,000  
18 18 shall be used for a grant to an Iowa-based nonprofit  
18 19 organization with a history of providing tax preparation  
18 20 assistance to low-income Iowans in order to expand the usage  
18 21 of the earned income tax credit. The purpose of the grant is  
18 22 to supply this assistance to underserved areas of the state.  
18 23 The grant shall be provided to an organization that has  
18 24 existing national foundation support for supplying such  
18 25 assistance that can also secure local charitable match  
18 26 funding.

General Fund allocation of \$250,000 to provide tax preparation help for low-income Iowans.

DETAIL: Maintains current level of General Fund support.

18 27 b. The general assembly supports efforts by the  
18 28 organization receiving funding under this subsection to create  
18 29 a statewide earned income tax credit and asset-building  
18 30 coalition to achieve both of the following purposes:  
18 31 (1) Expanding the usage of the tax credit through new and  
18 32 enhanced outreach and marketing strategies, as well as  
18 33 identifying new local sites and human and financial resources.  
18 34 (2) Assessing and recommending various strategies for  
18 35 Iowans to develop assets through savings, individual  
19 1 development accounts, financial literacy, antipredatory  
19 2 lending initiatives, informed home ownership, use of various  
19 3 forms of support for work, and microenterprise business  
19 4 development targeted to persons who are self-employed or have  
19 5 fewer than five employees.

Specifies that the General Assembly supports the efforts to create a statewide earned income tax credit and asset-building coalition.

19 6 4. Notwithstanding section 8.39, for the fiscal year

CODE: Specifies that the DHS has the authority to transfer TANF

19 7 beginning July 1, 2008, if necessary to meet federal  
 19 8 maintenance of effort requirements or to transfer federal  
 19 9 temporary assistance for needy families block grant funding to  
 19 10 be used for purposes of the federal social services block  
 19 11 grant or to meet cash flow needs resulting from delays in  
 19 12 receiving federal funding or to implement, in accordance with  
 19 13 this division of this Act, activities currently funded with  
 19 14 juvenile court services, county, or community moneys and state  
 19 15 moneys used in combination with such moneys, the department of  
 19 16 human services may transfer funds within or between any of the  
 19 17 appropriations made in this division of this Act and  
 19 18 appropriations in law for the federal social services block  
 19 19 grant to the department for the following purposes, provided  
 19 20 that the combined amount of state and federal temporary  
 19 21 assistance for needy families block grant funding for each  
 19 22 appropriation remains the same before and after the transfer:  
 19 23     a. For the family investment program.  
 19 24     b. For child care assistance.  
 19 25     c. For child and family services.  
 19 26     d. For field operations.  
 19 27     e. For general administration.  
 19 28     f. MH/MR/DD/BI community services (local purchase).  
 19 29     This subsection shall not be construed to prohibit the use  
 19 30 of existing state transfer authority for other purposes. The  
 19 31 department shall report any transfers made pursuant to this  
 19 32 subsection to the legislative services agency.

funds to the Social Services Block Grant as necessary to meet  
 Maintenance of Effort requirements.

19 33     Sec. 8. CHILD SUPPORT RECOVERY. There is appropriated  
 19 34 from the general fund of the state to the department of human  
 19 35 services for the fiscal year beginning July 1, 2008, and  
 20 1 ending June 30, 2009, the following amount, or so much thereof  
 20 2 as is necessary, to be used for the purposes designated:  
 20 3     For child support recovery, including salaries, support,  
 20 4 maintenance, and miscellaneous purposes, and for not more than  
 20 5 the following full-time equivalent positions:  
 20 6 ..... \$ 14,951,757  
 20 7 ..... FTEs 515.00

General Fund appropriation to the DHS for the Child Support  
 Recovery Unit.

DETAIL: This is an increase of \$4,481,913 and a decrease of 4.00  
 FTE positions compared to the estimated FY 2008 appropriation. The  
 increase and decreases includes:

- An increase of \$5,278,000 to compensate for a shortfall resulting from provisions in the federal Deficit Reduction Act of 2005.
- A decrease of \$71,100 for customer service paper and postage savings.

- A decrease of \$320,960 for savings in imaging technology.
- A decrease of \$273,942 for the delay in implementation of medical requirements.
- A decrease of \$96,085 to maintain FY 2008 computer rates.
- A decrease of \$34,000 for enhancements in payment processing.
- A decrease of 4.00 FTE positions to reflect expected utilization.

20 8 1. The department shall expend up to \$31,000, including  
 20 9 federal financial participation, for the fiscal year beginning  
 20 10 July 1, 2008, for a child support public awareness campaign.  
 20 11 The department and the office of the attorney general shall  
 20 12 cooperate in continuation of the campaign. The public  
 20 13 awareness campaign shall emphasize, through a variety of media  
 20 14 activities, the importance of maximum involvement of both  
 20 15 parents in the lives of their children as well as the  
 20 16 importance of payment of child support obligations.

Requires the DHS to expend up to \$31,000 during FY 2008 for a child support public awareness campaign. The funding limitation includes federal funds. The campaign is to be operated in cooperation with the Office of the Attorney General and is to emphasize parental involvement and financial support.

DETAIL: Maintains current level of General Fund support.

20 17 2. Federal access and visitation grant moneys shall be  
 20 18 issued directly to private not-for-profit agencies that  
 20 19 provide services designed to increase compliance with the  
 20 20 child access provisions of court orders, including but not  
 20 21 limited to neutral visitation sites and mediation services.

Specifies the process for utilization of receipts from federal Access and Visitation Grants.

20 22 3. The appropriation made to the department for child  
 20 23 support recovery may be used throughout the fiscal year in the  
 20 24 manner necessary for purposes of cash flow management, and for  
 20 25 cash flow management purposes the department may temporarily  
 20 26 draw more than the amount appropriated, provided the amount  
 20 27 appropriated is not exceeded at the close of the fiscal year.

Permits the DHS to use the appropriation as necessary and draw more than appropriated if needed to solve any cash flow problems, provided the amount appropriated is not exceeded at the end of the fiscal year.

20 28 Sec. 9. MEDICAL ASSISTANCE. There is appropriated from  
 20 29 the general fund of the state to the department of human

General Fund appropriation to the DHS for the Medical Assistance (Medicaid) Program.



20 30 services for the fiscal year beginning July 1, 2008, and  
 20 31 ending June 30, 2009, the following amount, or so much thereof  
 20 32 as is necessary, to be used for the purpose designated:  
 20 33 For medical assistance reimbursement and associated costs  
 20 34 as specifically provided in the reimbursement methodologies in  
 20 35 effect on June 30, 2008, except as otherwise expressly  
 21 1 authorized by law, including reimbursement for abortion  
 21 2 services which shall be available under the medical assistance  
 21 3 program only for those abortions which are medically  
 21 4 necessary:  
 21 5 ..... \$649,629,269

DETAIL: This is a net increase of \$18,035,495 compared to the estimated net FY 2008 appropriation. Major increases and decreases include:

- An increase of \$20,625,789 for increases in utilization and enrollment.
- An increase of \$16,874,211 to replace funding for the four Mental Health Institutes phased out from the IowaCare Program.
- A decrease of \$240,000 to create two levels of targeted case management.
- A decrease of \$863,115 for a surcharge on paper claims where electronic processing is available.
- A decrease of \$425,500 to reflect the collection of rebates on diabetic supplies.
- A decrease of \$750,000 for changes in the nursing facility accountability payment.
- An increase of \$121,285 for a 2.0% provider rate increase for Consumer Directed Attendant Care Providers.
- An increase of \$1,143,522 for the Demonstration to Maintain Independence and Employment (DMIE) Program.
- An increase of \$6,644,753 for a 1.0% provider rate increase for Medicaid Providers.
- An increase of \$35,327,368 to shift funding from the Healthy Iowans Tobacco Trust Fund to Medicaid General Fund.
- A decrease of \$65,468,773 for a shift in funding sources from the General Fund to the Property Tax Credit Fund, Health Care Trust Fund, and the Senior Living Trust Fund.
- An increase of \$129,355 for a supplement in personal needs allowance of up to \$50 for ICF/MRs and ICF/MIs.
- An increase of \$2,500,000 to move the Brain Injury Waiver funding from the Department of Public Health to the Department of Human Services for continuation of those expenditures.
- A decrease of \$333,400 for a reduction in Medicaid and hawk-i advertising.
- An increase of \$2,500,000 to fund continuous eligibility for children under the Medicaid Program.
- An increase of \$250,000 for the Family Opportunity Act.

21 6 1. Medically necessary abortions are those performed under  
 21 7 any of the following conditions:  
 21 8 a. The attending physician certifies that continuing the  
 21 9 pregnancy would endanger the life of the pregnant woman.  
 21 10 b. The attending physician certifies that the fetus is  
 21 11 physically deformed, mentally deficient, or afflicted with a  
 21 12 congenital illness.  
 21 13 c. The pregnancy is the result of a rape which is reported  
 21 14 within 45 days of the incident to a law enforcement agency or  
 21 15 public or private health agency which may include a family  
 21 16 physician.  
 21 17 d. The pregnancy is the result of incest which is reported  
 21 18 within 150 days of the incident to a law enforcement agency or  
 21 19 public or private health agency which may include a family  
 21 20 physician.  
 21 21 e. Any spontaneous abortion, commonly known as a  
 21 22 miscarriage, if not all of the products of conception are  
 21 23 expelled.

Specifies conditions that permit the Medical Assistance Program to reimburse providers for abortion services.

DETAIL: This is the same language that has been in the DHS Appropriations Bill for several years.

21 24 2. The department shall utilize not more than \$60,000 of  
 21 25 the funds appropriated in this section to continue the  
 21 26 AIDS/HIV health insurance premium payment program as  
 21 27 established in 1992 Iowa Acts, Second Extraordinary Session,  
 21 28 chapter 1001, section 409, subsection 6. Of the funds  
 21 29 allocated in this subsection, not more than \$5,000 may be  
 21 30 expended for administrative purposes.

Requires the DHS to use a maximum of \$60,000 of the funds appropriated for Medical Assistance to continue the Acquired Immune Deficiency Syndrome/Human Immunodeficiency Virus (AIDS/HIV) Health Insurance Premium Payment as established during the Second Extraordinary Session in 1992.

DETAIL: Maintains current level of General Fund support.

21 31 3. Of the funds appropriated in this Act to the department  
 21 32 of public health for addictive disorders, \$950,000 for the  
 21 33 fiscal year beginning July 1, 2008, shall be transferred to  
 21 34 the department of human services for an integrated substance  
 21 35 abuse managed care system. The department shall not assume  
 22 1 management of the substance abuse system in place of the  
 22 2 managed care contractor unless such a change in approach is  
 22 3 specifically authorized in law. The departments of human  
 22 4 services and public health shall work together to maintain the

Requires \$950,000 from the Substance Abuse Grants appropriation in the Department of Public Health to be transferred to the Medical Assistance Program in the DHS for continuation of the Managed Substance Abuse Treatment Program. Also, requires the DHS to assume management of the Program.

DETAIL: Maintains current level of General Fund support. The Managed Substance Abuse Treatment Program was funded for the first time in FY 1996.

22 5 level of mental health and substance abuse services provided  
22 6 by the managed care contractor through the Iowa plan for  
22 7 behavioral health. Each department shall take the steps  
22 8 necessary to continue the federal waivers as necessary to  
22 9 maintain the level of services.

22 10 4. a. The department shall aggressively pursue options  
22 11 for providing medical assistance or other assistance to  
22 12 individuals with special needs who become ineligible to  
22 13 continue receiving services under the early and periodic  
22 14 screening, diagnosis, and treatment program under the medical  
22 15 assistance program due to becoming 21 years of age who have  
22 16 been approved for additional assistance through the  
22 17 department's exception to policy provisions, but who have  
22 18 health care needs in excess of the funding available through  
22 19 the exception to policy provisions.  
22 20 b. Of the funds appropriated in this section, \$100,000  
22 21 shall be used for participation in one or more pilot projects  
22 22 operated by a private provider to allow the individual or  
22 23 individuals to receive service in the community in accordance  
22 24 with principles established in *Olmstead v. L.C.*, 527 U.S. 581  
22 25 (1999), for the purpose of providing medical assistance or  
22 26 other assistance to individuals with special needs who become  
22 27 ineligible to continue receiving services under the early and  
22 28 periodic screening, diagnosis, and treatment program under the  
22 29 medical assistance program due to becoming 21 years of age who  
22 30 have been approved for additional assistance through the  
22 31 department's exception to policy provisions, but who have  
22 32 health care needs in excess of the funding available through  
22 33 the exception to the policy provisions.

Requires the DHS to aggressively pursue options for assisting special need individuals that become ineligible for continued services under the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program as a result of turning 21 years of age. The individuals are to have been approved for additional assistance through the DHS exception to policy process, but have health care needs exceeding available funding. This Section requires the Department to allocate \$100,000 to fund one or more pilot projects focused on providing care in the community.

DETAIL: Maintains current level of General Fund support.

22 34 5. Of the funds appropriated in this section, up to  
22 35 \$3,050,082 may be transferred to the field operations or  
23 1 general administration appropriations in this Act for  
23 2 operational costs associated with Part D of the federal  
23 3 Medicare Prescription Drug, Improvement, and Modernization Act

Permits the DHS to transfer up to \$3,050,082 to Field Operations or General Administration for implementation costs of the new Medicare Part D prescription drug benefit and low-income subsidy application process.

23 4 of 2003, Pub. L. No. 108=173.

23 5 6. In addition to any other funds appropriated in this  
23 6 Act, of the funds appropriated in this section, \$250,000 shall  
23 7 be used for the grant to the Iowa healthcare collaborative as  
23 8 defined in section 135.40.

Allocates a \$250,000 grant from the General Fund appropriation for Medical Assistance to the Iowa Healthcare Collaborative for efforts to promote improvements in health care.

23 9 7. Of the funds appropriated in this section, not more  
23 10 than \$166,600 shall be used to enhance outreach efforts. The  
23 11 department may transfer funds allocated in this subsection to  
23 12 the appropriations in this division of this Act for general  
23 13 administration, the state children's health insurance program,  
23 14 or medical contracts, as necessary, to implement the outreach  
23 15 efforts.

Prohibits the Department from expending more than \$166,600 for outreach for the Medicaid and hawk-i programs.

23 16 8. Of the funds appropriated in this section, up to  
23 17 \$442,100 may be transferred to the appropriation in this Act  
23 18 for medical contracts to be used for clinical assessment  
23 19 services related to remedial services in accordance with  
23 20 federal law.

Permits a maximum of \$442,100 for Clinical Assessment Services.

DETAIL: Maintains current allocation level.

23 21 9. Of the funds appropriated in this section, \$1,143,522  
23 22 may be used for the demonstration to maintain independence and  
23 23 employment (DMIE) if the waiver for DMIE is approved by the  
23 24 centers for Medicare and Medicaid services of the United  
23 25 States department of health and human services. Additionally,  
23 26 if the waiver is approved, \$440,000 of the funds shall be  
23 27 transferred to the department of corrections for DMIE  
23 28 activities.

Permits the DHS to expend \$1,143,522 for the Demonstration to Maintain Independence and Employment (DMIE) waiver if approval is received from the federal government. In addition, the Department is to transfer \$440,000 to the Department of Corrections for DMIE activities.

DETAIL: The DHS and the Department of Corrections applied for the DMIE waiver. The waiver would provide medication and counseling for inmates with mental illness being released from correctional facilities.

23 29 10. The drug utilization review commission shall monitor  
23 30 the smoking cessation benefit provided under the medical  
23 31 assistance program and shall provide a report of utilization,

Requires the DHS Drug Utilization Review Commission to monitor smoking cessation benefits provided under the Medicaid Program and report any recommendations for changes by January 15, 2009.

23 32 client success, cost=effectiveness, and recommendations for  
 23 33 any changes in the benefit to the persons designated in this  
 23 34 Act to receive reports by January 15, 2009. If a prescriber  
 23 35 determines that all smoking cessation aids on the preferred  
 24 1 drug list are not effective or medically appropriate for a  
 24 2 patient, the prescriber may apply for an exception to policy  
 24 3 for another product approved by the United States food and  
 24 4 drug administration for smoking cessation pursuant to 441 IAC  
 24 5 1.8(1).

24 6 11. A portion of the funds appropriated in this section  
 24 7 may be transferred to the appropriations in this division of  
 24 8 this Act for general administration, medical contracts, the  
 24 9 state children's health insurance program, or field operations  
 24 10 to be used for the state match cost to comply with the payment  
 24 11 error rate measurement (PERM) program for both the medical  
 24 12 assistance and state children's health insurance programs as  
 24 13 developed by the centers for Medicare and Medicaid services of  
 24 14 the United States department of health and human services to  
 24 15 comply with the federal Improper Payments Information Act of  
 24 16 2002, Pub. L. No. 107=300.

Permits the Department to use a portion of the funds appropriated to carry out the Payment Error Rate Measurement (PERM) Program. This brings the Department into compliance with the federal Improper Payments Information Act of 2002.

24 17 12. It is the intent of the general assembly that the  
 24 18 department implement the recommendations of the assuring  
 24 19 better child health and development initiative II (ABCDII)  
 24 20 clinical panel to the Iowa early and periodic screening,  
 24 21 diagnostic, and treatment services healthy mental development  
 24 22 collaborative board regarding changes to billing procedures,  
 24 23 codes, and eligible service providers.

Specifies legislative intent that the Department implement the recommendations of the ABCD II Clinical Panel for changes to billing procedures, codes, and eligible service providers.

24 24 13. Of the funds appropriated in this section, a  
 24 25 sufficient amount is allocated to supplement the incomes of  
 24 26 residents of nursing facilities, intermediate care facilities  
 24 27 for persons with mental illness, and intermediate care  
 24 28 facilities for persons with mental retardation, with incomes  
 24 29 of less than \$50 in the amount necessary for the residents to

Requires the Department to provide residents in nursing facilities, ICF/MRs, and ICF/MIs with a personal needs allowance of \$50 per month.

DETAIL: This adds provisions for residents in both ICF/MRs and ICF/MIs to have their income supplemented in FY 2009.

24 30 receive a personal needs allowance of \$50 per month pursuant  
24 31 to section 249A.30A.

24 32 14. Of the funds appropriated in this section, the  
24 33 following amounts shall be transferred to appropriations made  
24 34 in this division of this Act to the state mental health  
24 35 institutes:

25 1 a. Cherokee mental health institute ..... \$ 5,933,659  
25 2 b. Clarinda mental health institute ..... \$ 1,289,526  
25 3 c. Independence mental health institute ..... \$ 5,899,400  
25 4 d. Mount Pleasant mental health institute .... \$ 3,751,626

Transfers funds from the Medical Assistance appropriation to the four Mental Health Institutes.

DETAIL: This is a new transfer for FY 2009. The funds are transferred to replace funding from the IowaCare Program that is being phased out in FY 2009 and FY 2010.

25 5 15. a. Of the funds appropriated in this section,  
25 6 \$2,753,055 is allocated for state match for disproportionate  
25 7 share hospital payment of \$7,321,954 to hospitals that meet  
25 8 both of the following conditions:  
25 9 (1) The hospital qualifies for disproportionate share and  
25 10 graduate medical education payments.  
25 11 (2) The hospital is an Iowa state-owned hospital with more  
25 12 than 500 beds and eight or more distinct residency specialty  
25 13 or subspecialty programs recognized by the American college of  
25 14 graduate medical education.  
25 15 b. Distribution of the disproportionate share payment  
25 16 shall be made on a monthly basis. The total amount of  
25 17 disproportionate share payments including graduate medical  
25 18 education, enhanced disproportionate share, and Iowa  
25 19 state-owned teaching hospital payments shall not exceed the  
25 20 amount of the state's allotment under Pub. L. No. 102=234. In  
25 21 addition, the total amount of all disproportionate share  
25 22 payments shall not exceed the hospital-specific  
25 23 disproportionate share limits under Pub. L. No. 103=66.

Allocates \$2,753,055 for the State match for the disproportionate share hospital payment of \$7,321,954. This is a new allocation for FY 2009.

25 24 16. Of the funds appropriated in this section, \$4,568,899  
25 25 is transferred to the IowaCare account created in section  
25 26 249J.24.

Transfers \$4,568,899 to the IowaCare Program. This is a new transfer for FY 2009.

25 27 17. Of the funds appropriated in this section, \$250,000  
25 28 shall be used for the Iowa chronic care consortium pursuant to  
25 29 2003 Iowa Acts, chapter 112, section 12, as amended by 2003  
25 30 Iowa Acts, chapter 179, sections 166 and 167.

Allocates \$250,000 to the Iowa Chronic Care Consortium.

DETAIL: This is the same level of allocation compared to FY 2008.

25 31 18. The department shall implement cost=saving initiatives  
25 32 including implementing a surcharge for claims filed on paper  
25 33 when electronic filing is available and collecting a  
25 34 supplemental rebate for diabetic supplies.

Requires the Department to implement various cost savings initiatives.

25 35 19. One hundred percent of the nonfederal share of  
26 1 payments to area education agencies that are medical  
26 2 assistance providers for medical assistance=covered services  
26 3 provided to medical assistance=covered children, shall be made  
26 4 from the appropriation made in this section.

Allocates Medicaid funds to Area Education Agencies.

26 5 20. a. Beginning July 1, 2009, any new or renewed  
26 6 contract entered into by the department with a third party to  
26 7 administer behavioral health services under the medical  
26 8 assistance program shall provide that any interest earned on  
26 9 payments from the state during the state fiscal year shall be  
26 10 remitted to the department for deposit in a separate account  
26 11 after the end of the fiscal year.

Specifies that any new or renewed contract with a third party behavioral health administrator requires interest earned to be remitted to the Department for deposit in a separate account that can only be used for Health and Human Services related activities.

26 12 b. Beginning July 1, 2008, the department shall maintain a  
26 13 separate account within the medical assistance budget for the  
26 14 deposit of all funds remitted pursuant to a contract with a  
26 15 third party to administer behavioral health services under the  
26 16 medical assistance program. Notwithstanding section 8.33,  
26 17 funds remaining in the account that remain unencumbered or  
26 18 unobligated at the end of any fiscal year shall not revert but  
26 19 shall remain available in succeeding fiscal years and shall be  
26 20 used only in accordance with appropriations from the account  
26 21 for health and human services=related purposes.

26 22 c. Of the state share of any funds remitted to the medical

Specifies that funds remitted under the current contract with Magellan

26 23 assistance program pursuant to a contract with a third party  
 26 24 to administer behavioral health services under the medical  
 26 25 assistance program, the following amounts are appropriated to  
 26 26 the department for the fiscal year beginning July 1, 2008, and  
 26 27 ending June 30, 2009, to be used as follows:

26 28 (1) For implementation of the emergency mental health  
 26 29 crisis services system in accordance with section 225C.19, as  
 26 30 enacted by this Act, beginning January 1, 2009, \$1,500,000.

26 31 (2) For implementation of the mental health services  
 26 32 system for children and youth in accordance with section  
 26 33 225C.52, as enacted by this Act, beginning January 1, 2009,  
 26 34 \$500,000.

26 35 (3) For the mental health, mental retardation, and  
 27 1 developmental disabilities risk pool created in the property  
 27 2 tax relief fund in section 426B.5, \$1,000,000.

27 3 (4) To reduce the waiting lists of the medical assistance  
 27 4 home and community-based services waivers, \$2,000,000. The  
 27 5 department shall distribute the funding allocated under this  
 27 6 subparagraph proportionately among all home and  
 27 7 community-based services waivers.

27 8 (5) For Medicaid services provided under the children's  
 27 9 mental health waiver, \$750,000.

27 10 (6) For training for child welfare services providers,  
 27 11 \$250,000. The training shall be developed by the department  
 27 12 in collaboration with the coalition for children and family  
 27 13 services in Iowa.

27 14 d. The department shall provide the results of the audits  
 27 15 of the third party administering behavioral health services  
 27 16 under the medical assistance program for the fiscal years  
 27 17 beginning July 1, 2006, and July 1, 2007, to the legislative  
 27 18 services agency for review.

27 19 21. Of the funds appropriated in this section, at least  
 27 20 \$2,500,000 shall be used for existing and new home and  
 27 21 community-based waiver slots for persons with brain injury.

Behavioral Health must be appropriated as follows:

- \$1,500,000 for Emergency Mental Health Crisis Services.
- \$500,000 for the Children and Youth Mental Health Services System.
- \$1,000,000 to the Mental Health Risk Pool in the Property Tax Relief Fund.
- \$2,000,000 for the Medicaid Home and Community Based Waiver Services.
- \$750,000 for the Children's Mental Health Waiver.
- \$250,000 for training for child welfare service providers.

Requires the DHS to provide the FY 2007 and FY 2008 audits from the Medicaid behavioral health service contractor to the Legislative Services Agency.

Requires \$2,500,000 to be used to continue or expand the Brain Injury Waiver transferred from the Department of Public Health.



27 22 22. Of the funds appropriated in this section, \$250,000  
 27 23 shall be used to implement the provisions in 2007 Iowa Acts,  
 27 24 chapter 218, section 124, as amended by the Eighty=second  
 27 25 General Assembly, 2008 Session, relating to eligibility for  
 27 26 certain persons with disabilities under the medical assistance  
 27 27 program.

Allocates \$250,000 to be used to implement the Family Opportunity Act.

27 28 23. The department of human services shall conduct a  
 27 29 review of the impact of broadening the list of drugs  
 27 30 prescribed for the treatment of diabetes on the preferred drug  
 27 31 list under the medical assistance program in order to promote  
 27 32 drugs that are appropriate and therapeutically effective for  
 27 33 persons with diabetes. The review shall include, at a  
 27 34 minimum, a comparison of the effectiveness of drugs prescribed  
 27 35 for the treatment of diabetes and a cost analysis. The  
 28 1 department shall report its findings and recommendations to  
 28 2 the individuals specified in this Act to receive reports by  
 28 3 December 15, 2008.

Requires the Department to review the preferred drug list for the treatment of diabetes and requires the Department to submit a report to the Governor and General Assembly by December 15, 2008.

28 4 24. The department of human services shall conduct a  
 28 5 review of the medical assistance home and community=based  
 28 6 services waivers, including but not limited to the upper limit  
 28 7 of reimbursement for each waiver and the services provided  
 28 8 under each waiver, and shall make recommendations to the  
 28 9 individuals specified in this Act to receive reports by  
 28 10 December 15, 2008, regarding revising the upper limits of  
 28 11 reimbursement and services provided.

Requires the Department to conduct a review of the Home and Community Based Services Waivers and make recommendations for changes by December 15, 2008.

28 12 Sec. 10. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There  
 28 13 is appropriated from the general fund of the state to the  
 28 14 department of human services for the fiscal year beginning  
 28 15 July 1, 2008, and ending June 30, 2009, the following amount,  
 28 16 or so much thereof as is necessary, to be used for the purpose  
 28 17 designated:  
 28 18 For administration of the health insurance premium payment

General Fund appropriation to the DHS for the Health Insurance Premium Payment (HIPPP) Program.

DETAIL: This is a decrease of \$107,260 to transfer technology staff to General Administration and no change in FTE positions.

28 19 program, including salaries, support, maintenance, and  
 28 20 miscellaneous purposes, and for not more than the following  
 28 21 full-time equivalent positions:  
 28 22 ..... \$ 566,338  
 28 23 ..... FTEs 21.00

28 24 Sec. 11. MEDICAL CONTRACTS. There is appropriated from  
 28 25 the general fund of the state to the department of human  
 28 26 services for the fiscal year beginning July 1, 2008, and  
 28 27 ending June 30, 2009, the following amount, or so much thereof  
 28 28 as is necessary, to be used for the purpose designated:  
 28 29 For medical contracts, including salaries, support,  
 28 30 maintenance, and miscellaneous purposes, and for not more than  
 28 31 the following full-time equivalent positions:  
 28 32 ..... \$ 14,165,550  
 28 33 ..... FTEs 6.00

General Fund appropriation to the DHS for Medical Contracts.

DETAIL: This is a net increase of \$374,992 compared to the estimated FY 2008 appropriation and no change in FTE positions. Changes include:

- A decrease of \$250,000 to maintain FY 2008 funding levels for Home and Community-Based Waiver Services (HCBS) reviews.
- An increase of \$624,992 for increases in costs of a contract with the Department of Inspections and Appeals.

28 34 1. Of the funds appropriated in this section, \$50,000  
 28 35 shall be used for electronic cross-matching with state vital  
 29 1 records databases through the department of public health.

Allocates \$50,000 for a data match with the Department of Public Health and outreach for citizenship requirements for Medicaid applicants.

29 2 2. Of the funds appropriated in this section, \$250,000  
 29 3 shall be used for monitoring of home and community-based  
 29 4 services waivers.

Allocates \$250,000 for increased monitoring of the Home and Community-Based Services Waivers to assure information is being documented correctly and to avoid federal audits.

29 5 Sec. 12. STATE SUPPLEMENTARY ASSISTANCE.  
 29 6 1. There is appropriated from the general fund of the  
 29 7 state to the department of human services for the fiscal year  
 29 8 beginning July 1, 2008, and ending June 30, 2009, the  
 29 9 following amount, or so much thereof as is necessary, to be  
 29 10 used for the purpose designated:  
 29 11 For the state supplementary assistance program:  
 29 12 ..... \$ 18,611,385

General Fund appropriation to the DHS for State Supplementary Assistance.

DETAIL: This is an increase of \$1,401,050 compared to the estimated FY 2008 appropriation to restore carryforward funds from FY 2007.

29 13 2. The department shall increase the personal needs

Requires the DHS to increase the personal needs allowance of

29 14 allowance for residents of residential care facilities by the  
 29 15 same percentage and at the same time as federal supplemental  
 29 16 security income and federal social security benefits are  
 29 17 increased due to a recognized increase in the cost of living.  
 29 18 The department may adopt emergency rules to implement this  
 29 19 subsection.

residential care facilities residents at the same rate and time as federal Supplemental Security Income (SSI) and Social Security benefits are increased. Permits the DHS to adopt emergency rules for implementation.

29 20 3. If during the fiscal year beginning July 1, 2008, the  
 29 21 department projects that state supplementary assistance  
 29 22 expenditures for a calendar year will not meet the federal  
 29 23 pass-through requirement specified in Title XVI of the federal  
 29 24 Social Security Act, section 1618, as codified in 42 U.S.C.  
 29 25 1382g, the department may take actions including but not  
 29 26 limited to increasing the personal needs allowance for  
 29 27 residential care facility residents and making programmatic  
 29 28 adjustments or upward adjustments of the residential care  
 29 29 facility or in-home health-related care reimbursement rates  
 29 30 prescribed in this division of this Act to ensure that federal  
 29 31 requirements are met. In addition, the department may make  
 29 32 other programmatic and rate adjustments necessary to remain  
 29 33 within the amount appropriated in this section while ensuring  
 29 34 compliance with federal requirements. The department may  
 29 35 adopt emergency rules to implement the provisions of this  
 30 1 subsection.

Permits the DHS to adjust rates for State Supplementary Assistance to meet federal maintenance of effort requirements. Permits the DHS to adopt emergency rules for implementation.

30 2 Sec. 13. STATE CHILDREN'S HEALTH INSURANCE PROGRAM.

30 3 1. There is appropriated from the general fund of the  
 30 4 state to the department of human services for the fiscal year  
 30 5 beginning July 1, 2008, and ending June 30, 2009, the  
 30 6 following amount, or so much thereof as is necessary, to be  
 30 7 used for the purpose designated:

30 8 For maintenance of the healthy and well kids in Iowa (hawk=  
 30 9 i) program pursuant to chapter 514I for receipt of federal  
 30 10 financial participation under Title XXI of the federal Social  
 30 11 Security Act, which creates the state children's health  
 30 12 insurance program:

General Fund appropriation to the DHS for the Children's Health Insurance Program, also known as the Healthy and Well Kids in Iowa (hawk-i) Program.

DETAIL: This is a net increase of \$1,002,167 compared to the FY 2008 appropriation. Major increases and decreases include:

- An increase of \$125,485 to continue to enroll additional eligible children.
- A decrease of \$9,000,000 to reflect funds available from the hawk-i Trust Fund.
- An increase of \$8,329,570 to transfer funding from the Health

30 13 ..... \$ 13,868,885

Care Trust Fund.

- An increase of \$134,050 to continue an outreach contract with the Department of Public Health
- An increase of \$71,416 to continue advertising and outreach.
- A decrease of \$662,688 to reflect the appropriate Federal Medical Assistance Percentage (FMAP) rate.

30 14 2. If sufficient funding is available under this Act, and  
 30 15 if federal reauthorization of the state children's health  
 30 16 insurance program provides sufficient federal allocations to  
 30 17 the state and authorization to cover the following populations  
 30 18 as an option under the state children's health insurance  
 30 19 program, the department may expand coverage under the state  
 30 20 children's health insurance program as follows:  
 30 21 a. By eliminating the categorical exclusion of state  
 30 22 employees from receiving state children's health insurance  
 30 23 program benefits.  
 30 24 b. By providing coverage for legal immigrant children and  
 30 25 pregnant women not eligible under current federal guidelines.  
 30 26 c. By covering children up to age twenty=one, or up to age  
 30 27 twenty=three if the child is attending school.

Specifies that if funding is available under the State Children's Health Insurance Program, coverage should be expanded to children of State employees that would be eligible but are currently excluded, legal immigrant children, and children up to age 21 or up to age 23 if attending school.

30 28 3. If the United States Congress does not authorize  
 30 29 additional federal funds necessary to address any shortfall  
 30 30 for the state children's health insurance program for the  
 30 31 federal fiscal year beginning October 1, 2008, and ending  
 30 32 September 30, 2009, the department may use 100 percent of  
 30 33 state funds from the appropriation made in this section for  
 30 34 the period beginning July 1, 2008, and ending June 30, 2009,  
 30 35 and may, after consultation with the governor and the general  
 31 1 assembly, utilize funding from the appropriations made in this  
 31 2 Act for medical assistance to maintain the state children's  
 31 3 health insurance program. If deemed necessary, the department  
 31 4 shall request a supplemental appropriation from the  
 31 5 Eighty=third General Assembly, 2009 Session, to address any  
 31 6 remaining shortfall for the fiscal year beginning July 1,

Permits the DHS to use all State funds if the United States Congress does not authorize additional federal funds necessary to cover the cost of the program. After consultation with the Governor and the General Assembly, the DHS may use other funds appropriated in this Bill.

31 7 2008.

31 8 4. Of the funds appropriated in this section, \$134,050 is  
 31 9 allocated for continuation of the contract for advertising and  
 31 10 outreach with the department of public health and \$90,050 is  
 31 11 allocated for other advertising and outreach.

Allocates \$134,050 to continue an outreach contract with the Department of Public Health and allocates up to \$90,050 for additional advertising and outreach.

31 12 Sec. 14. CHILD CARE ASSISTANCE. There is appropriated  
 31 13 from the general fund of the state to the department of human  
 31 14 services for the fiscal year beginning July 1, 2008, and  
 31 15 ending June 30, 2009, the following amount, or so much thereof  
 31 16 as is necessary, to be used for the purpose designated:

31 17 For child care programs:

31 18 ..... \$ 41,345,381

General Fund appropriation to the DHS for the Child Care Assistance Program.

DETAIL: This is a net increase of \$3,469,680 compared to the estimated FY 2008 appropriation. The change includes:

- A decrease of \$54,451 to replace the FY 2007 carryforward.
- A decrease of \$158,469 for staff costs transferred to Field Operations.
- A decrease of \$24,459 for information technology costs transferred to General Administration.
- A decrease of \$148,711 for an increase in the available federal match.
- An increase of \$1,546,486 for a 2.00% reimbursement rate increase starting October 1, 2008.
- A decrease of \$600,000 to increase the FY 2008 amount for child care training. The FY 2009 amount transferred from the Temporary Assistance for Needy Families (TANF) funds provides an increase of \$1,100,000 in the same amount for this purpose. The result is an increase in the FY 2008 amount for child care training of \$500,000.
- An increase of \$350,000 for a transfer to a single county for related child care costs for children with exceptional needs.
- An increase of \$2,559,284 for additional child care subsidy funds.

An additional \$2,000,000 in TANF funds are made available for the FY 2009 child care subsidy funding. An additional \$6,100,000 from FY 2008 Child and Family Services funds are transferred to the child care appropriation to use in FY 2009. An additional \$440,716 from the hawk-i Trust Fund is transferred to the child care appropriation to use in FY 2009.

31 19 1. Of the funds appropriated in this section, \$37,589,569  
31 20 shall be used for state child care assistance in accordance  
31 21 with section 237A.13.

Requires \$37,589,569 to be used to provide child care assistance for low-income employed lowans.

DETAIL: This is an increase of \$2,619,680 compared to the FY 2008 allocation. This does not include funds from FY 2008 made available for expenditure in FY 2009 through carryforward funds and additional TANF funding.

31 22 2. Nothing in this section shall be construed or is  
31 23 intended as or shall imply a grant of entitlement for services  
31 24 to persons who are eligible for assistance due to an income  
31 25 level consistent with the waiting list requirements of section  
31 26 237A.13. Any state obligation to provide services pursuant to  
31 27 this section is limited to the extent of the funds  
31 28 appropriated in this section.

Specifies that assistance from the Child Care Assistance Program is not an entitlement and the State's obligation to provide services is limited to the funds available.

31 29 3. Of the funds appropriated in this section, \$525,524 is  
31 30 allocated for the statewide program for child care resource  
31 31 and referral services under section 237A.26. A list of the  
31 32 registered and licensed child care facilities operating in the  
31 33 area served by a child care resource and referral service  
31 34 shall be made available to the families receiving state child  
31 35 care assistance in that area.

Allocates \$525,524 for the Statewide Child Care Resource and Referral Program. Requires a list of the registered and licensed child care facilities to be made available by Child Care Resource and Referral Programs to families receiving assistance under the Child Care Assistance Program.

DETAIL: Maintains current allocation level.

32 1 4. Of the funds appropriated in this section, \$1,680,288  
32 2 is allocated for child care quality improvement initiatives  
32 3 including but not limited to the voluntary quality rating  
32 4 system in accordance with section 237A.30.

Allocates \$1,680,288 for the Quality Rating System (QRS).

DETAIL: This is an increase of \$500,000 compared to the FY 2008 allocation level.

32 5 5. The department may use any of the funds appropriated in  
32 6 this section as a match to obtain federal funds for use in  
32 7 expanding child care assistance and related programs. For the  
32 8 purpose of expenditures of state and federal child care  
32 9 funding, funds shall be considered obligated at the time  
32 10 expenditures are projected or are allocated to the

Permits funds appropriated for child care to be used as matching funds for federal grants. Specifies that funds are obligated when expenditures are projected or allocated to the DHS regions.

DETAIL: This provision was also in effect for FY 2008.

32 11 department's service areas. Projections shall be based on  
32 12 current and projected caseload growth, current and projected  
32 13 provider rates, staffing requirements for eligibility  
32 14 determination and management of program requirements including  
32 15 data systems management, staffing requirements for  
32 16 administration of the program, contractual and grant  
32 17 obligations and any transfers to other state agencies, and  
32 18 obligations for decategorization or innovation projects.

32 19 6. A portion of the state match for the federal child care  
32 20 and development block grant shall be provided as necessary to  
32 21 meet federal matching funds requirements through the state  
32 22 general fund appropriation made for child development grants  
32 23 and other programs for at-risk children in section 279.51.

Requires that a portion of the State match for the federal Child Care and Development Block Grant be provided from the State appropriation for child development grants and other programs for at-risk children.

32 24 7. Of the funds appropriated in this section, \$1,200,000  
32 25 is transferred to the Iowa empowerment fund from which it is  
32 26 appropriated to be used for professional development for the  
32 27 system of early care, health, and education.

Requires a transfer of \$1,200,000 to the Iowa Empowerment Board for professional development opportunities for individuals working in early care, health, and education.

DETAIL: Maintains the current allocation level.

32 28 8. Of the funds appropriated in this section, \$350,000  
32 29 shall be allocated to a county with a population of more than  
32 30 300,000 to be used for a one-time grant to support child care  
32 31 center services provided to children with mental, physical, or  
32 32 emotional challenges in order for the children to remain in a  
32 33 home or family setting.

Requires \$350,000 of the Child Care appropriation to be transferred to Polk County to support child care center services for children with various special needs for a one-time grant.

DETAIL: This is a new allocation for FY 2009.

32 34 9. Notwithstanding section 8.33, moneys appropriated in  
32 35 this section or received from the federal appropriations made  
33 1 for the purposes of this section that remain unencumbered or  
33 2 unobligated at the close of the fiscal year shall not revert  
33 3 to any fund but shall remain available for expenditure for the  
33 4 purposes designated until the close of the succeeding fiscal

CODE: Requires nonreversion of FY 2009 Child Care Assistance Program funds.

33 5 year.

33 6 Sec. 15. JUVENILE INSTITUTIONS. There is appropriated  
33 7 from the general fund of the state to the department of human  
33 8 services for the fiscal year beginning July 1, 2008, and  
33 9 ending June 30, 2009, the following amounts, or so much  
33 10 thereof as is necessary, to be used for the purposes  
33 11 designated:

33 12 1. For operation of the Iowa juvenile home at Toledo and  
33 13 for salaries, support, and maintenance, and for not more than  
33 14 the following full-time equivalent positions:  
33 15 ..... \$ 7,579,484  
33 16 ..... FTEs 126.00

General Fund appropriation to the DHS for the Juvenile Home at Toledo.

DETAIL: Maintains current level of General Fund and FTE support.

33 17 2. For operation of the state training school at Eldora  
33 18 and for salaries, support, and maintenance, and for not more  
33 19 than the following full-time equivalent positions:  
33 20 ..... \$ 11,948,327  
33 21 ..... FTEs 202.70

General Fund appropriation to the DHS for the State Training School at Eldora.

DETAIL: Maintains current level of General Fund support and provides an increase of 0.75 FTE position.

33 22 3. A portion of the moneys appropriated in this section  
33 23 shall be used by the state training school and by the Iowa  
33 24 juvenile home for grants for adolescent pregnancy prevention  
33 25 activities at the institutions in the fiscal year beginning  
33 26 July 1, 2008.

Requires a portion of the funds appropriated for the two juvenile institutions to be used for pregnancy prevention in FY 2009.

DETAIL: This provision was also in effect for FY 2008.

33 27 Sec. 16. CHILD AND FAMILY SERVICES.

33 28 1. There is appropriated from the general fund of the  
33 29 state to the department of human services for the fiscal year  
33 30 beginning July 1, 2008, and ending June 30, 2009, the  
33 31 following amount, or so much thereof as is necessary, to be  
33 32 used for the purpose designated:

33 33 For child and family services:

General Fund appropriation to the DHS for Child and Family Services.

DETAIL: This is a net increase of \$806,308 compared to the estimated FY 2008 appropriation. The change includes:

- An increase of \$200,000 to replace the FY 2007 carryforward for the Juvenile Drug Court Program.
- An increase of \$1,161,825 for family foster care caseloads.



33 34 ..... \$ 89,326,628

- An increase of \$123,394 for changes to federal funding.
- An increase of \$1,459,309 to transfer expenditures from the Adoption Subsidy Program.
- An increase of \$324,873 to maintain the foster care subsidy rates.
- An increase of \$40,725 to maintain the Preparation for Adult Living Services (PALS) subsidy rates.
- A decrease of \$210,000 to eliminate the one-time FY 2008 transfer to the Mental Health Risk Pool.
- A decrease of \$761,941 to utilize boot camp funding in a manner eligible for federal Title IV-E funding.
- A decrease of \$51,500 to eliminate the nine-county family treatment grant.
- A decrease of \$1,000,000 to reformulate the shelter care beds funding.
- A decrease of \$3,605,000 to retain the decategorization funding that would revert to the General Fund.
- An increase of \$80,000 for the Linn County Runaway Program. This was funded in FY 2008 from the Juvenile Detention Fund.
- An increase of \$418,000 for the Community Partnerships for Children Transitional Funding. This was funded in FY 2008 from the Juvenile Detention Fund.
- An increase of \$375,000 for minority youth and family projects in child welfare redesign.
- An increase of \$300,000 for the State Match for the Substance Abuse and Mental Health Services Administration (SAMHSA) Grant. This was funded in FY 2008 from the Juvenile Detention Fund.
- An increase of \$11,000 for the ELEVATE Program.
- A decrease of \$600,000 for Group Care from the FY 2008 General Fund allocation.
- An increase of \$100,000 for a child protection center in Black Hawk County.
- An increase of \$1,116,623 for a 1.00% provider reimbursement rate increase beginning July 1, 2008.
- An increase of \$1,324,000 for Group Care. This was funded in FY 2008 from the Juvenile Detention Fund.

NOTE: There is an additional \$1,000,000 appropriated from the General Fund in HF 2700 (FY 2009 Standings Appropriations Bill) for

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shelter care.

33 35 2. In order to address a reduction of \$5,200,000 from the  
34 1 amount allocated under the appropriation made for the purposes  
34 2 of this section in prior years for purposes of juvenile  
34 3 delinquent graduated sanction services, up to \$5,200,000 of  
34 4 the amount of federal temporary assistance for needy families  
34 5 block grant funding appropriated in this division of this Act  
34 6 for child and family services shall be made available for  
34 7 purposes of juvenile delinquent graduated sanction services.

Allocates \$5,200,000 in Temporary Assistance to Needy Families (TANF) funds for delinquency programs.

DETAIL: Maintains current allocation level.

34 8 3. The department may transfer funds appropriated in this  
34 9 section as necessary to pay the nonfederal costs of services  
34 10 reimbursed under the medical assistance program, state child  
34 11 care assistance program, or the family investment program  
34 12 which are provided to children who would otherwise receive  
34 13 services paid under the appropriation in this section. The  
34 14 department may transfer funds appropriated in this section to  
34 15 the appropriations in this division of this Act for general  
34 16 administration and for field operations for resources  
34 17 necessary to implement and operate the services funded in this  
34 18 section.

Permits the DHS to transfer funds appropriated for Child and Family Services to Medicaid, the Family Investment Program (FIP), General Administration, or Field Operations to pay for costs associated with child welfare services in these areas.

34 19 4. a. Of the funds appropriated in this section, up to  
34 20 \$35,841,744 is allocated as the statewide expenditure target  
34 21 under section 232.143 for group foster care maintenance and  
34 22 services.

Allocates up to \$35,841,744 for group care services and maintenance costs.

DETAIL: This is a decrease of \$74,783 compared to the FY 2008 allocation. Of these funds, \$1,324,000 is a new General Fund allocation for FY 2009. In FY 2008, \$1,324,000 was originally allocated from the Juvenile Detention Fund for group care.

34 23 b. If at any time after September 30, 2008, annualization  
34 24 of a service area's current expenditures indicates a service

Requires the group foster care expenditure target to be reviewed under certain conditions and requires review hearings when appropriate.

34 25 area is at risk of exceeding its group foster care expenditure  
34 26 target under section 232.143 by more than 5 percent, the  
34 27 department and juvenile court services shall examine all group  
34 28 foster care placements in that service area in order to  
34 29 identify those which might be appropriate for termination. In  
34 30 addition, any aftercare services believed to be needed for the  
34 31 children whose placements may be terminated shall be  
34 32 identified. The department and juvenile court services shall  
34 33 initiate action to set dispositional review hearings for the  
34 34 placements identified. In such a dispositional review  
34 35 hearing, the juvenile court shall determine whether needed  
35 1 aftercare services are available and whether termination of  
35 2 the placement is in the best interest of the child and the  
35 3 community.

35 4 5. In accordance with the provisions of section 232.188,  
35 5 the department shall continue the child welfare and juvenile  
35 6 justice funding initiative during fiscal year 2008=2009. Of  
35 7 the moneys subject to the nonreversion clause provided in the  
35 8 amendment in this Act to 2006 Iowa Acts, chapter 1184, section  
35 9 17, subsection 4, \$3,605,000 is allocated specifically for  
35 10 expenditure for fiscal year 2008=2009 through the  
35 11 decategorization service funding pools and governance boards  
35 12 established pursuant to section 232.188.

Allocates \$3,605,000 for decategorization services.

DETAIL: This is the same funding as FY 2008 but the funds are derived in FY 2009 from the carryforward of the FY 2007 decategorization funds permitted in this Bill. For FY 2008, there was \$2,605,000 appropriated from the General Fund and \$1,000,000 allocated from TANF for this allocation.

35 13 6. A portion of the funds appropriated in this section may  
35 14 be used for emergency family assistance to provide other  
35 15 resources required for a family participating in a family  
35 16 preservation or reunification project or successor project to  
35 17 stay together or to be reunified.

Permits a portion of the Child and Family Services appropriation to be used for emergency family assistance under specified conditions.

35 18 7. Notwithstanding section 234.35 or any other provision  
35 19 of law to the contrary, state funding for shelter care shall  
35 20 be limited to \$7,072,215. The department shall work with the  
35 21 coalition for children and family services in Iowa and other

CODE: Places a State funding limitation of \$7,072,215 for shelter care. Requires the DHS and the Coalition for Children and Family Services and other providers to develop emergency services in lieu of shelter care.

35 22 representatives of shelter care providers to reduce the number  
 35 23 of guaranteed shelter beds and shift a portion of available  
 35 24 funding to develop new or expand existing child welfare  
 35 25 emergency services for children who might otherwise be served  
 35 26 in shelter care. The child welfare emergency services shall  
 35 27 be provided by shelter care agencies that currently have a  
 35 28 contract for shelter care services with the department and may  
 35 29 include mobile crisis response units for child and family  
 35 30 crises, in-home supervision services, emergency family foster  
 35 31 care homes, expanding capacity to provide emergency services  
 35 32 in other family foster care homes, or provide flexible funding  
 35 33 for child welfare emergency services based on evidence-based  
 35 34 practices. Notwithstanding chapter 8A, the department may  
 35 35 amend existing contracts with shelter care agencies as  
 36 1 necessary to include child welfare emergency services.

DETAIL: This is a new provision for FY 2009. For FY 2008, funding was provided for a specific number of shelter care beds whether the beds were utilized or not. House File 2700 (FY 2009 Standings Appropriation Bill) appropriated an additional \$1,000,000 and the \$7,072,215 limit is increased to \$8,072,215.

36 2 8. Federal funds received by the state during the fiscal  
 36 3 year beginning July 1, 2008, as the result of the expenditure  
 36 4 of state funds appropriated during a previous state fiscal  
 36 5 year for a service or activity funded under this section are  
 36 6 appropriated to the department to be used as additional  
 36 7 funding for services and purposes provided for under this  
 36 8 section. Notwithstanding section 8.33, moneys received in  
 36 9 accordance with this subsection that remain unencumbered or  
 36 10 unobligated at the close of the fiscal year shall not revert  
 36 11 to any fund but shall remain available for the purposes  
 36 12 designated until the close of the succeeding fiscal year.

CODE: Requires federal funds received in FY 2009 for the expenditure of State funds in a previous fiscal year to be used for child welfare services. Requires nonreversion of funds through FY 2010.

36 13 9. Of the funds appropriated in this section, at least  
 36 14 \$3,696,285 shall be used for protective child care assistance.

Requires \$3,696,285 to be used for protective child care assistance.

DETAIL: Maintains current allocation level.

36 15 10. a. Of the funds appropriated in this section, up to  
 36 16 \$2,268,963 is allocated for the payment of the expenses of  
 36 17 court-ordered services provided to juveniles who are under the

Provides the following allocations related to court-ordered services for juveniles:

- Allocates up to \$2,268,963 for court-ordered services provided to

36 18 supervision of juvenile court services, which expenses are a  
 36 19 charge upon the state pursuant to section 232.141, subsection  
 36 20 4. Of the amount allocated in this lettered paragraph, up to  
 36 21 \$1,556,287 shall be made available to provide school-based  
 36 22 supervision of children adjudicated under chapter 232, of  
 36 23 which not more than \$15,000 may be used for the purpose of  
 36 24 training. A portion of the cost of each school-based liaison  
 36 25 officer shall be paid by the school district or other funding  
 36 26 source as approved by the chief juvenile court officer.  
 36 27 b. Of the funds appropriated in this section, up to  
 36 28 \$823,965 is allocated for the payment of the expenses of  
 36 29 court-ordered services provided to children who are under the  
 36 30 supervision of the department, which expenses are a charge  
 36 31 upon the state pursuant to section 232.141, subsection 4.

- children that are under the supervision of juvenile court services.
- Allocates \$1,556,287 for school-based supervision of delinquent children, limits training funds to \$15,000, and requires a portion of the cost for school-based liaisons to be paid by school districts.
  - Allocates \$823,965 for court-ordered services provided to children that are under the supervision of the Department of Human Services.

36 32 c. Notwithstanding section 232.141 or any other provision  
 36 33 of law to the contrary, the amounts allocated in this  
 36 34 subsection shall be distributed to the judicial districts as  
 36 35 determined by the state court administrator and to the  
 37 1 department's service areas as determined by the administrator  
 37 2 of the department's division of child and family services.  
 37 3 The state court administrator and the division administrator  
 37 4 shall make the determination of the distribution amounts on or  
 37 5 before June 15, 2008.

CODE: Requires allocations to the DHS districts to be made according to a formula determined by the State Court Administrator by June 15, 2008.

37 6 d. Notwithstanding chapter 232 or any other provision of  
 37 7 law to the contrary, a district or juvenile court shall not  
 37 8 order any service which is a charge upon the state pursuant to  
 37 9 section 232.141 if there are insufficient court-ordered  
 37 10 services funds available in the district court or departmental  
 37 11 service area distribution amounts to pay for the service. The  
 37 12 chief juvenile court officer and the departmental service area  
 37 13 manager shall encourage use of the funds allocated in this  
 37 14 subsection such that there are sufficient funds to pay for all  
 37 15 court-related services during the entire year. The chief  
 37 16 juvenile court officers and departmental service area managers

CODE: Prohibits a court from ordering any service that is a charge to the State if there are insufficient funds to reimburse the service. Requires the Chief Juvenile Court Officer to use the funds in a manner that will cover the entire fiscal year and permits funds to be transferred between districts.

37 17 shall attempt to anticipate potential surpluses and shortfalls  
37 18 in the distribution amounts and shall cooperatively request  
37 19 the state court administrator or division administrator to  
37 20 transfer funds between the judicial districts' or departmental  
37 21 service areas' distribution amounts as prudent.

37 22 e. Notwithstanding any provision of law to the contrary, a  
37 23 district or juvenile court shall not order a county to pay for  
37 24 any service provided to a juvenile pursuant to an order  
37 25 entered under chapter 232 which is a charge upon the state  
37 26 under section 232.141, subsection 4.

CODE: Prohibits a district or juvenile court from ordering a county to pay for a service provided to a juvenile that is a charge to the State.

37 27 f. Of the funds allocated in this subsection, not more  
37 28 than \$100,000 may be used by the judicial branch for  
37 29 administration of the requirements under this subsection.

Prohibits expenditure of more than \$100,000 by the Judicial Branch for administration related to court-ordered services.

37 30 11. Of the funds appropriated in this section, \$1,030,000  
37 31 shall be transferred to the department of public health to be  
37 32 used for the child protection center grant program in  
37 33 accordance with section 135.118.

Requires an allocation of \$1,030,000 to be transferred to the Department of Public Health for a Child Protection Center Grant Program.

DETAIL: Maintains current level of funding. There is an additional \$100,000 allocated in this Section that provides funding for a child protection center in Black Hawk County.

37 34 12. If the department receives federal approval to  
37 35 implement a waiver under Title IV-E of the federal Social  
38 1 Security Act to enable providers to serve children who remain  
38 2 in the children's families and communities, for purposes of  
38 3 eligibility under the medical assistance program children who  
38 4 participate in the waiver shall be considered to be placed in  
38 5 foster care.

Requires children that receive in-home or community-based services under a federal Title IV-E waiver to be considered as placed in foster care in order to remain eligible for Medicaid, if the DHS receives federal approval to implement the waiver.

38 6 13. Of the funds appropriated in this section, \$2,862,164

Allocates \$2,862,164 for the Preparation for Adult Living Services

38 7 is allocated for the preparation for adult living program  
38 8 pursuant to section 234.46.

(PALS) Program.

DETAIL: This is a decrease of \$210,000 compared to the FY 2008 allocation to reflect the one-time FY 2008 transfer to the Mental Health Risk Pool.

38 9 14. Of the funds appropriated in this section, \$1,030,000  
38 10 shall be used for juvenile drug courts. The amount allocated  
38 11 in this subsection shall be distributed as follows:

38 12 a. To the judicial branch for salaries to assist with the  
38 13 operation of juvenile drug court programs operated in the  
38 14 following jurisdictions:

38 15 (1) Marshall county:

38 16 ..... \$ 61,800

38 17 (2) Woodbury county:

38 18 ..... \$ 123,862

38 19 (3) Polk county:

38 20 ..... \$ 193,057

38 21 (4) The third judicial district:

38 22 ..... \$ 66,950

38 23 (5) The eighth judicial district:

38 24 ..... \$ 66,950

38 25 b. For court-ordered services to support substance abuse  
38 26 services provided to the juveniles participating in the  
38 27 juvenile drug court programs listed in paragraph "a" and the  
38 28 juveniles' families:

38 29 ..... \$ 517,381

38 30 The state court administrator shall allocate the funding  
38 31 designated in this paragraph among the programs.

Allocates a total of \$1,030,000 for juvenile drug courts. Of this amount, a total of \$512,619 is allocated for Judicial Branch staff costs, and \$517,381 is allocated for juvenile drug court services for juveniles and their families.

DETAIL: This is an increase of \$200,000 compared to estimated FY 2008 to replace one-time FY 2007 carryforward funds.

38 32 15. Of the funds appropriated in this section, \$203,000 is  
38 33 allocated for continuation of the contracts for the  
38 34 multidimensional treatment level foster care program  
38 35 established pursuant to 2006 Iowa Acts, chapter 1123, for a  
39 1 third year.

Allocates \$203,000 for the Multi-Dimensional Foster Care Treatment Level Program. Requires the DHS to continue the third year of the three-year pilot Program with the same contractors.

DETAIL: This is no change in funding compared to the FY 2008 allocation.

39 2 16. Of the funds appropriated in this section, \$236,900  
39 3 shall be used for a grant to a nonprofit human services  
39 4 organization providing services to individuals and families in  
39 5 multiple locations in southwest Iowa and Nebraska for support  
39 6 of a project providing immediate, sensitive support and  
39 7 forensic interviews, medical exams, needs assessments, and  
39 8 referrals for victims of child abuse and their nonoffending  
39 9 family members.

Requires an allocation of \$236,900 for Project Harmony.

DETAIL: This is no change in funding compared to the FY 2008 allocation.

39 10 17. Of the funds appropriated in this section, \$131,000 is  
39 11 allocated for the elevate approach of providing a support  
39 12 network to children placed in foster care.

Requires an allocation of \$131,000 to provide support for chapters for the ELEVATE support group for foster care children.

DETAIL: This is an increase of \$11,000 compared to the FY 2008 allocation.

39 13 18. Of the funds appropriated in this section, \$300,000 is  
39 14 allocated for sibling visitation provisions for children  
39 15 subject to a court order for out-of-home placement in  
39 16 accordance with section 232.108.

Requires an allocation of \$300,000 to implement mandatory sibling visitation for children in foster care.

DETAIL: Maintains the current allocation level.

39 17 19. Of the funds appropriated in this section, \$200,000 is  
39 18 allocated for use pursuant to section 235A.1 for the  
39 19 initiative to address child sexual abuse implemented pursuant  
39 20 to 2007 Iowa Acts, ch. 218, section 18, subsection 21.

Allocates \$200,000 for an initiative to address child sexual abuse.

DETAIL: Maintains the current allocation level.

39 21 20. Of the funds appropriated in this section, \$80,000 is  
39 22 allocated for renewal of a grant to a county with a population  
39 23 between 189,000 and 196,000 in the latest preceding certified  
39 24 federal census for implementation of the county's runaway  
39 25 treatment plan under section 232.195.

Allocates \$80,000 for a Linn County Juvenile Runaway Program.

DETAIL: This is a new General Fund allocation for FY 2009. In FY 2008 and previous years, this was funded from the Juvenile Detention Fund.

39 26 21. Of the funds appropriated in this section, \$418,000 is  
39 27 allocated for the community partnership for child protection  
39 28 sites.

Allocates \$418,000 for the child welfare Community Partnership for Child Protection sites.



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DETAIL: This is a new General Fund allocation for FY 2009. In FY 2008 and previous years, this was funded from the Juvenile Detention Fund.

39 29 22. Of the funds appropriated in this section, \$375,000 is  
39 30 allocated for the department's minority youth and family  
39 31 projects under the redesign of the child welfare system.

Allocates \$375,000 for minority youth and family projects included in child welfare redesign.

DETAIL: This is a new General Fund allocation for FY 2009. In FY 2008 this was funded from the Juvenile Detention Fund.

39 32 23. Of the funds appropriated in this section, \$300,000 is  
39 33 allocated for funding of the state match for the federal  
39 34 substance abuse and mental health services administration  
39 35 (SAMHSA) system of care grant.

Allocates \$300,000 for the State match for the federal Substance Abuse and Mental Health Services Administration system of care grant.

DETAIL: This is a new General Fund allocation in FY 2009. In FY 2008 and FY 2007, this was funded from the Juvenile Detention Fund. For FY 2008, the original allocation from the Fund was \$400,000 and is reduced in this Bill to \$300,000.

40 1 24. The department shall develop options for providing a  
40 2 growth mechanism for reimbursement of the child and family  
40 3 services traditionally funded under this appropriation. The  
40 4 growth mechanism options may provide for a tie to allowable  
40 5 growth for school aid, an inflationary adjustment reflective  
40 6 of the cost increases for the services, or other reasonable  
40 7 proxy for the cost increases affecting such service providers.

Requires the DHS to develop a proposed funding growth mechanism for child welfare services.

40 8 25. Of the funds appropriated in this section, \$152,440  
40 9 shall be used for continuation of the funding of one or more  
40 10 child welfare diversion and mediation pilot projects as  
40 11 provided in 2004 Iowa Acts, chapter 1130, section 1.

Allocates \$152,440 for the third year of a three-year child welfare diversion and mediation pilot project. Requires the DHS to continue the same entities for the pilot.

40 12 26. The department shall review the processes for drug  
40 13 testing of persons responsible for the care of a child in  
40 14 child abuse cases to evaluate the effectiveness of the

Requires the DHS to review the processes for drug testing in certain child abuse cases. Requires the DHS to report to the members of the Health and Human Services Appropriations Subcommittee, the

40 15 testing, whether it is applied in the same manner in all  
 40 16 service areas, identify how the funding designated for drug  
 40 17 testing is utilized, and address other issues associated with  
 40 18 the testing. The department shall report on or before  
 40 19 December 1, 2008, concerning the review to the persons  
 40 20 designated by this Act to receive reports.

Legislative Services Agency, and the four caucus staffs by December 1, 2008.

40 21 27. Of the funds appropriated in this section, \$100,000  
 40 22 shall be used for a grant to support a satellite project  
 40 23 associated with a child protection center in a county with a  
 40 24 population between 189,000 and 196,000 to be operated in a  
 40 25 hospital in a county in northeast Iowa with a population  
 40 26 between 120,000 and 135,000. The pilot project shall provide  
 40 27 immediate, sensitive support and forensic interviews, medical  
 40 28 exams, needs assessments, and referrals for victims of child  
 40 29 abuse and the victims' nonoffender family members. Population  
 40 30 numbers used in this subsection are from the latest preceding  
 40 31 certified federal census.

Allocates \$100,000 for a child protection center grant in Black Hawk County.

DETAIL: This is a new allocation for FY 2009.

40 32 Sec. 17. ADOPTION SUBSIDY.

40 33 1. There is appropriated from the general fund of the  
 40 34 state to the department of human services for the fiscal year  
 40 35 beginning July 1, 2008, and ending June 30, 2009, the  
 41 1 following amount, or so much thereof as is necessary, to be  
 41 2 used for the purpose designated:

41 3 For adoption subsidy payments and services:  
 41 4 ..... \$ 34,168,872

General Fund appropriation to the DHS for the Adoption Subsidy Program.

DETAIL: This is an increase of \$2,196,191 compared to the estimated FY 2008 appropriation. The increase includes:

- An increase of \$2,000,000 to replace one-time FY 2008 carryforward funding.
- A decrease of \$1,459,309 to reflect the transfer to the Child and Family Services budget unit.
- An increase of \$378,371 to reflect the United States Department of Agriculture (USDA) increased average cost to raise a child.
- An increase of \$1,600,000 for caseload growth expected in FY 2009.
- A decrease of \$322,871 for the change in the Federal Medical Assistance Percentage (FMAP) rate.

41 5 2. The department may transfer funds appropriated in this

Permits the DHS to transfer funds for adoption recruitment and

41 6 section to the appropriation made in this Act for general  
41 7 administration for costs paid from the appropriation relating  
41 8 to adoption subsidy.

services.

41 9 3. Federal funds received by the state during the fiscal  
41 10 year beginning July 1, 2008, as the result of the expenditure  
41 11 of state funds during a previous state fiscal year for a  
41 12 service or activity funded under this section are appropriated  
41 13 to the department to be used as additional funding for the  
41 14 services and activities funded under this section.  
41 15 Notwithstanding section 8.33, moneys received in accordance  
41 16 with this subsection that remain unencumbered or unobligated  
41 17 at the close of the fiscal year shall not revert to any fund  
41 18 but shall remain available for expenditure for the purposes  
41 19 designated until the close of the succeeding fiscal year.

CODE: Requires federal funds received in FY 2009 for the expenditure of State funds in a previous fiscal year to be used for Adoption Subsidy. Requires nonreversion of funds in this Subsection until the close of FY 2010.

41 20 Sec. 18. JUVENILE DETENTION HOME FUND. Moneys deposited  
41 21 in the juvenile detention home fund created in section 232.142  
41 22 during the fiscal year beginning July 1, 2008, and ending June  
41 23 30, 2009, are appropriated to the department of human services  
41 24 for the fiscal year beginning July 1, 2008, and ending June  
41 25 30, 2009, for distribution of an amount equal to a percentage  
41 26 of the costs of the establishment, improvement, operation, and  
41 27 maintenance of county or multicounty juvenile detention homes  
41 28 in the fiscal year beginning July 1, 2007. Moneys  
41 29 appropriated for distribution in accordance with this section  
41 30 shall be allocated among eligible detention homes, prorated on  
41 31 the basis of an eligible detention home's proportion of the  
41 32 costs of all eligible detention homes in the fiscal year  
41 33 beginning July 1, 2007. The percentage figure shall be  
41 34 determined by the department based on the amount available for  
41 35 distribution for the fund. Notwithstanding section 232.142,  
42 1 subsection 3, the financial aid payable by the state under  
42 2 that provision for the fiscal year beginning July 1, 2008,  
42 3 shall be limited to the amount appropriated for the purposes  
42 4 of this section.

CODE: Requires funds deposited in the Juvenile Detention Fund to be distributed to the Juvenile Detention Centers.

DETAIL: It is estimated that the fines that are deposited in the Fund will be \$3,734,068 in FY 2009. Using the estimated FY 2008 budgets of the Juvenile Detention Centers, these revenues are expected to provide 17.38% of the planned expenditures of the Centers. This percentage may increase if the FY 2008 actual expenditures are less than the budgeted amounts of the Centers or if FY 2009 revenues are greater than estimated.

42 5 Sec. 19. FAMILY SUPPORT SUBSIDY PROGRAM.  
 42 6 1. There is appropriated from the general fund of the  
 42 7 state to the department of human services for the fiscal year  
 42 8 beginning July 1, 2008, and ending June 30, 2009, the  
 42 9 following amount, or so much thereof as is necessary, to be  
 42 10 used for the purpose designated:  
 42 11 For the family support subsidy program:  
 42 12 ..... \$ 1,936,434

General Fund appropriation for the Family Support Program.

DETAIL: Maintains current level of General Fund support.

42 13 2. The department shall use at least \$433,212 of the  
 42 14 moneys appropriated in this section for the family support  
 42 15 center component of the comprehensive family support program  
 42 16 under section 225C.47. Not more than \$20,000 of the amount  
 42 17 allocated in this subsection shall be used for administrative  
 42 18 costs.

Requires an allocation of \$433,312 from the Family Support Subsidy appropriation to continue the Children-at-Home Program in current counties. Also, permits the DHS to expand the Program to additional counties if funds are available, and limits administrative funding to \$20,000.

DETAIL: This is an increase of \$100,000 compared to the FY 2008 allocation.

42 19 Sec. 20. CONNER DECREE. There is appropriated from the  
 42 20 general fund of the state to the department of human services  
 42 21 for the fiscal year beginning July 1, 2008, and ending June  
 42 22 30, 2009, the following amount, or so much thereof as is  
 42 23 necessary, to be used for the purpose designated:  
 42 24 For building community capacity through the coordination  
 42 25 and provision of training opportunities in accordance with the  
 42 26 consent decree of Conner v. Branstad, No. 4=86=CV=30871(S.D.  
 42 27 Iowa, July 14, 1994):  
 42 28 ..... \$ 42,623

General Fund appropriation to the DHS for Conner Decree training requirements.

DETAIL: Maintains current level of General Fund support. The funds are used for training purposes to comply with the Conner v. Branstad court decision mandating placement of persons in the least restrictive setting.

42 29 Sec. 21. MENTAL HEALTH INSTITUTES. There is appropriated  
 42 30 from the general fund of the state to the department of human  
 42 31 services for the fiscal year beginning July 1, 2008, and  
 42 32 ending June 30, 2009, the following amounts, or so much  
 42 33 thereof as is necessary, to be used for the purposes  
 42 34 designated:  
 42 35 1. For the state mental health institute at Cherokee for

General Fund appropriation to the Mental Health Institute at Cherokee.

DETAIL: Maintains current level of General Fund support and provides a decrease of 4.50 FTE positions.

PG LN

Senate File 2425

Explanation

43 1 salaries, support, maintenance, and miscellaneous purposes,  
43 2 and for not more than the following full=time equivalent  
43 3 positions:  
43 4 ..... \$ 5,727,743  
43 5 ..... FTEs 210.00

43 6 2. For the state mental health institute at Clarinda for  
43 7 salaries, support, maintenance, and miscellaneous purposes,  
43 8 and for not more than the following full=time equivalent  
43 9 positions:  
43 10 ..... \$ 7,323,073  
43 11 ..... FTEs 114.95

43 12 Of the funds appropriated in this section, \$300,000 shall  
43 13 be used to establish and operate an Alzheimer's patient mobile  
43 14 consultation and assessment program.

43 15 3. For the state mental health institute at Independence  
43 16 for salaries, support, maintenance, and miscellaneous  
43 17 purposes, and for not more than the following full=time  
43 18 equivalent positions:  
43 19 ..... \$ 10,495,879  
43 20 ..... FTEs 287.66

43 21 4. For the state mental health institute at Mount Pleasant  
43 22 for salaries, support, maintenance, and miscellaneous  
43 23 purposes, and for not more than the following full=time  
43 24 equivalent positions:  
43 25 ..... \$ 1,874,721  
43 26 ..... FTEs 116.44

43 27 Sec. 22. STATE RESOURCE CENTERS.

43 28 1. There is appropriated from the general fund of the  
43 29 state to the department of human services for the fiscal year

General Fund appropriation to the Mental Health Institute at Clarinda.  
  
DETAIL: This is an increase of \$300,000 and 5.00 FTE positions for a mobile Alzheimer's team.

Allocates \$300,000 for a Mobile Alzheimer's Consultation and Assessment Program.

General Fund appropriation to the Mental Health Institute at Independence.  
  
DETAIL: This is an increase of \$6,155 to reflect the appropriate FMAP rate and no change in FTE positions.

General Fund appropriation to the Mental Health Institute at Mount Pleasant.

DETAIL: This is a decrease of \$2,378 to reflect the appropriate FMAP rate and no change in FTE positions.

43 30 beginning July 1, 2008, and ending June 30, 2009, the  
43 31 following amounts, or so much thereof as is necessary, to be  
43 32 used for the purposes designated:

43 33 a. For the state resource center at Glenwood for salaries,  
43 34 support, maintenance, and miscellaneous purposes:  
43 35 ..... \$ 17,102,330

General Fund appropriation to the State Resource Center at Glenwood.

DETAIL: This is a decrease of \$1,900,047 and no change in FTE positions compared to the FY 2008 appropriation. The change includes:

- A decrease of \$171,308 to reflect the appropriate FMAP rate.
- A decrease of \$1,893,008 to reconcile salary adjustment.
- An increase of \$164,269 to replace revenues for the loss of two homes.

The FTE positions are not capped in the Bill.

44 1 b. For the state resource center at Woodward for salaries,  
44 2 support, maintenance, and miscellaneous purposes:  
44 3 ..... \$ 11,266,164

General Fund appropriation to the State Resource Center at Woodward.

DETAIL: This is a decrease of \$1,772,669 and no change in FTE positions compared to the FY 2008 appropriation. The change includes:

- A decrease of \$122,545 to reflect the appropriate FMAP rate.
- A decrease of \$1,823,770 to reconcile salary adjustment.
- An increase of \$173,646 to replace revenues for the loss of two homes.

The FTE positions are not capped in the Bill.

44 4 2. The department may continue to bill for state resource  
44 5 center services utilizing a scope of services approach used  
44 6 for private providers of ICFMR services, in a manner which  
44 7 does not shift costs between the medical assistance program,  
44 8 counties, or other sources of funding for the state resource

Permits the DHS to continue billing practices that do not include cost shifting.

44 9 centers.

44 10 3. The state resource centers may expand the time-limited  
44 11 assessment and respite services during the fiscal year.

Permits the State Resource Centers to expand time-limited assessment and respite services.

DETAIL: Time-limited assessments include analysis of patients' conditions and development of therapy plans to assist families in caring for individuals with mental retardation or developmental disabilities. Respite services provide care for special needs individuals for a limited duration to provide families with a temporary reprieve from caretaking responsibilities.

44 12 4. If the department's administration and the department  
44 13 of management concur with a finding by a state resource  
44 14 center's superintendent that projected revenues can reasonably  
44 15 be expected to pay the salary and support costs for a new  
44 16 employee position, or that such costs for adding a particular  
44 17 number of new positions for the fiscal year would be less than  
44 18 the overtime costs if new positions would not be added, the  
44 19 superintendent may add the new position or positions. If the  
44 20 vacant positions available to a resource center do not include  
44 21 the position classification desired to be filled, the state  
44 22 resource center's superintendent may reclassify any vacant  
44 23 position as necessary to fill the desired position. The  
44 24 superintendents of the state resource centers may, by mutual  
44 25 agreement, pool vacant positions and position classifications  
44 26 during the course of the fiscal year in order to assist one  
44 27 another in filling necessary positions.

Specifies that additional positions at the two State Resource Centers may be added under certain projections.

44 28 5. If existing capacity limitations are reached in  
44 29 operating units, a waiting list is in effect for a service or  
44 30 a special need for which a payment source or other funding is  
44 31 available for the service or to address the special need, and  
44 32 facilities for the service or to address the special need can  
44 33 be provided within the available payment source or other  
44 34 funding, the superintendent of a state resource center may

Permits a State Resource Center to open certain facilities if a service waiting list exists and funding is available.

44 35 authorize opening not more than two units or other facilities  
 45 1 and begin implementing the service or addressing the special  
 45 2 need during fiscal year 2008=2009.

45 3 Sec. 23. MI/MR/DD STATE CASES.

General Fund appropriation to the DHS for State Cases.

45 4 1. There is appropriated from the general fund of the  
 45 5 state to the department of human services for the fiscal year  
 45 6 beginning July 1, 2008, and ending June 30, 2009, the  
 45 7 following amount, or so much thereof as is necessary, to be  
 45 8 used for the purpose designated:  
 45 9 For distribution to counties for state case services for  
 45 10 persons with mental illness, mental retardation, and  
 45 11 developmental disabilities in accordance with section 331.440:  
 45 12 ..... \$ 13,067,178

DETAIL: This is an increase of \$2,000,000 compared to the FY 2008 appropriation for the replacement of carryforward funds from FY 2007.

45 13 2. For the fiscal year beginning July 1, 2008, and ending  
 45 14 June 30, 2009, \$200,000 is allocated for state case services  
 45 15 from the amounts appropriated from the fund created in section  
 45 16 8.41 to the department of human services from the funds  
 45 17 received from the federal government under 42 U.S.C., ch. 6A,  
 45 18 subch. XVII, relating to the community mental health center  
 45 19 block grant, for the federal fiscal years beginning October 1,  
 45 20 2006, and ending September 30, 2007, beginning October 1,  
 45 21 2007, and ending September 30, 2008, and beginning October 1,  
 45 22 2008, and ending September 30, 2009. The allocation made in  
 45 23 this subsection shall be made prior to any other distribution  
 45 24 allocation of the appropriated federal funds.

Requires \$200,000 from the Community Mental Health Services Block Grant funds from FFY 2007, FFY 2008, or FFY 2009 to be used for the State Cases costs.

45 25 3. Notwithstanding section 8.33, moneys appropriated in  
 45 26 this section that remain unencumbered or unobligated at the  
 45 27 close of the fiscal year shall not revert but shall remain  
 45 28 available for expenditure for the purposes designated until  
 45 29 the close of the succeeding fiscal year.

CODE: Requires nonreversion of funds appropriated for State Cases.

45 30 Sec. 24. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES ==

General Fund appropriation for the Mental Health Community



45 31 COMMUNITY SERVICES FUND. There is appropriated from the  
 45 32 general fund of the state to the mental health and  
 45 33 developmental disabilities community services fund created in  
 45 34 section 225C.7 for the fiscal year beginning July 1, 2008, and  
 45 35 ending June 30, 2009, the following amount, or so much thereof  
 46 1 as is necessary, to be used for the purpose designated:  
 46 2 For mental health and developmental disabilities community  
 46 3 services in accordance with this division of this Act:  
 46 4 ..... \$ 18,017,890

Services Fund.

DETAIL: Maintains current level of General Fund support.

46 5 1. Of the funds appropriated in this section, \$17,727,890  
 46 6 shall be allocated to counties for funding of community-based  
 46 7 mental health and developmental disabilities services. The  
 46 8 moneys shall be allocated to a county as follows:

Allocates \$17,727,890 from the Community Services appropriation to counties based on a formula considering the county's population and federal poverty guidelines.

46 9 a. Fifty percent based upon the county's proportion of the  
 46 10 state's population of persons with an annual income which is  
 46 11 equal to or less than the poverty guideline established by the  
 46 12 federal office of management and budget.

Requires the funds to be used for services to persons with mental illness, mental retardation, developmental disabilities, and brain injuries. Specifies that no more than 50.00% may be used for any one of these populations. Requires counties to use at least 50.00% of the funding received on contemporary services.

46 13 b. Fifty percent based upon the county's proportion of the  
 46 14 state's general population.

46 15 2. a. A county shall utilize the funding the county  
 46 16 receives pursuant to subsection 1 for services provided to  
 46 17 persons with a disability, as defined in section 225C.2.  
 46 18 However, no more than 50 percent of the funding shall be used  
 46 19 for services provided to any one of the service populations.

46 20 b. A county shall use at least 50 percent of the funding  
 46 21 the county receives under subsection 1 for contemporary  
 46 22 services provided to persons with a disability, as described  
 46 23 in rules adopted by the department.

46 24 3. Of the funds appropriated in this section, \$30,000  
 46 25 shall be used to support the Iowa compass program providing  
 46 26 computerized information and referral services for lowans with  
 46 27 disabilities and their families.

Allocates \$30,000 to support the Iowa Compass Program. The Program provides computerized information and referral services for lowans with developmental disabilities and their families.

DETAIL: Maintains current level of General Fund support.

46 28 4. a. Funding appropriated for purposes of the federal  
46 29 social services block grant is allocated for distribution to  
46 30 counties for local purchase of services for persons with  
46 31 mental illness or mental retardation or other developmental  
46 32 disability.

Allocates federal funds appropriated in SF 2286 (FFY 2009 Block Grant and Federal Funds Appropriations Act) from the Social Services Block Grant for distribution to counties for local purchase of services for persons with mental illness, mental retardation, and developmental disabilities.

46 33 b. The funds allocated in this subsection shall be  
46 34 expended by counties in accordance with the county's approved  
46 35 county management plan. A county without an approved county  
47 1 management plan shall not receive allocated funds until the  
47 2 county's management plan is approved.

Requires counties to expend Social Services Block Grant funds according to approved county management plans. Prohibits a county from receiving an allocation of Social Services Block Grant funds until the county's plan is approved.

47 3 c. The funds provided by this subsection shall be  
47 4 allocated to each county as follows:  
47 5 (1) Fifty percent based upon the county's proportion of  
47 6 the state's population of persons with an annual income which  
47 7 is equal to or less than the poverty guideline established by  
47 8 the federal office of management and budget.  
47 9 (2) Fifty percent based upon the amount provided to the  
47 10 county for local purchase of services in the preceding fiscal  
47 11 year.

Requires the funds provided in this Subsection to be allocated to each county according to a specified formula.

DETAIL: The formula remains unchanged from the FY 1997 formula.

47 12 5. A county is eligible for funds under this section if  
47 13 the county qualifies for a state payment as described in  
47 14 section 331.439.

Specifies that a county is eligible for State funding through the Community Mental Health Services Fund if it meets the requirements for receiving Property Tax Relief funds and Allowed Growth funds.

47 15 6. Of the funds appropriated in this section, \$260,000  
47 16 shall be used for a grant to a statewide association of  
47 17 counties for development and implementation of the community  
47 18 services network to replace the county management information  
47 19 system.

Allocates \$260,000 to be used to develop a Community Services Network through the Iowa State Association of Counties.

DETAIL: This is a new allocation for FY 2009.

47 20 7. The most recent population estimates issued by the  
47 21 United States bureau of the census shall be applied for the

Requires the Department to utilize the most recent population estimates for the distribution of these funds.

47 22 population factors utilized in this section.

47 23 Sec. 25. SEXUALLY VIOLENT PREDATORS.

47 24 1. There is appropriated from the general fund of the  
 47 25 state to the department of human services for the fiscal year  
 47 26 beginning July 1, 2008, and ending June 30, 2009, the  
 47 27 following amount, or so much thereof as is necessary, to be  
 47 28 used for the purpose designated:  
 47 29 For costs associated with the commitment and treatment of  
 47 30 sexually violent predators in the unit located at the state  
 47 31 mental health institute at Cherokee, including costs of legal  
 47 32 services and other associated costs, including salaries,  
 47 33 support, maintenance, and miscellaneous purposes, and for not  
 47 34 more than the following full-time equivalent positions:  
 47 35 ..... \$ 6,720,268  
 48 1 ..... FTEs 94.50

General Fund appropriation to the DHS for the Sexual Predator  
 Commitment Program.

DETAIL: This is an increase of \$196,744 for an adjustment in per  
 diem and caseload growth at the Cherokee MHI and a decrease of  
 0.65 FTE position.

48 2 2. Unless specifically prohibited by law, if the amount  
 48 3 charged provides for recoupment of at least the entire amount  
 48 4 of direct and indirect costs, the department of human services  
 48 5 may contract with other states to provide care and treatment  
 48 6 of persons placed by the other states at the unit for sexually  
 48 7 violent predators at Cherokee. The moneys received under such  
 48 8 a contract shall be considered to be repayment receipts and  
 48 9 used for the purposes of the appropriation made in this  
 48 10 section.

Permits the Unit for Commitment of Sexually Violent Predators to  
 accept out-of-state clients when the entire cost is reimbursed.

48 11 Sec. 26. FIELD OPERATIONS. There is appropriated from the  
 48 12 general fund of the state to the department of human services  
 48 13 for the fiscal year beginning July 1, 2008, and ending June  
 48 14 30, 2009, the following amount, or so much thereof as is  
 48 15 necessary, to be used for the purposes designated:  
 48 16 For field operations, including salaries, support,  
 48 17 maintenance, and miscellaneous purposes, and for not more than  
 48 18 the following full-time equivalent positions:  
 48 19 ..... \$ 67,852,732

General Fund appropriation to the DHS for Field Operations staff and  
 support.

DETAIL: This is an increase of \$1,297,645 and 83.97 FTE positions  
 compared to the estimated FY 2008 appropriation. This includes:

- An increase of \$1,078,207 to restore various carryforwards from  
 FY 2007.
- An increase of \$385,674 to restore the one-time FY 2007 transfer

48 20 ..... FTEs 2,130.68

to the Children's Mental Health waiver waiting list.

- A decrease of \$1,166,236 for FY 2008 funds carried forward to FY 2009.
- An increase of \$1,000,000 for additional staff to increase the frequency of visitations to families receiving services.
- An increase of 83.97 FTEs to reflect expected utilization.

48 21 Priority in filling full-time equivalent positions shall be  
48 22 given to those positions related to child protection services  
48 23 and eligibility determination for low-income families.

Requires priority to be given to child protection services and eligibility determinations when filling FTE positions.

DETAIL: This requirement was in place for FY 2008 for child protection services. The eligibility determination requirement is new for FY 2009.

48 24 Sec. 27. GENERAL ADMINISTRATION. There is appropriated  
48 25 from the general fund of the state to the department of human  
48 26 services for the fiscal year beginning July 1, 2008, and  
48 27 ending June 30, 2009, the following amount, or so much thereof  
48 28 as is necessary, to be used for the purpose designated:  
48 29 For general administration, including salaries, support,  
48 30 maintenance, and miscellaneous purposes, and for not more than  
48 31 the following full-time equivalent positions:  
48 32 ..... \$ 16,682,067  
48 33 ..... FTEs 407.50

General Fund appropriation to the DHS for General Administration.

DETAIL: This is a decrease of \$100,639 and an increase of 54.50 FTE positions compared to the estimated FY 2008 appropriation. This includes:

- An increase of \$107,260 for technology funds transferred from other budget units.
- A decrease of \$100,000 for a transfer to the Department of Human Rights that was item vetoed in FY 2008.
- A decrease of \$107,899 to reflect carryforward funds.
- An increase of 49.50 FTE positions to reflect expected utilization.
- An increase of 5.00 FTE positions for the transfer of FTE positions from the funding provided from the Senior Living Trust Fund.

48 34 1. Of the funds appropriated in this section, \$57,000 is  
48 35 allocated for the prevention of disabilities policy council  
49 1 established in section 225B.3.

Allocates \$57,000 to the Prevention of Disabilities Policy Council.

DETAIL: Maintains current level of General Fund support.

49 2 2. The department shall report at least monthly to the

Requires the DHS to submit monthly expenditure reports to the LSA.

49 3 legislative services agency concerning the department's	
49 4 operational and program expenditures.	DETAIL: This is a new requirement for FY 2009.
49 5 Sec. 28. VOLUNTEERS. There is appropriated from the	General Fund appropriation to the DHS for the development and
49 6 general fund of the state to the department of human services	coordination of the Volunteer Services Program.
49 7 for the fiscal year beginning July 1, 2008, and ending June	
49 8 30, 2009, the following amount, or so much thereof as is	DETAIL: Maintains current level of General Fund funding.
49 9 necessary, to be used for the purpose designated:	
49 10 For development and coordination of volunteer services:	
49 11 ..... \$ 109,568	
49 12 Sec. 29. FAMILY PLANNING SERVICES. There is appropriated	General Fund appropriation to the DHS for Family Planning Services.
49 13 from the general fund of the state to the department of human	
49 14 services for the fiscal year beginning July 1, 2008, and	DETAIL: This is a new appropriation for FY 2009. Prohibits serving
49 15 ending June 30, 2009, the following amount or so much thereof	individuals with incomes that exceed 200.0% of the Federal Poverty
49 16 as is necessary, to be used for the purpose designated:	Level.
49 17 For family planning services to individuals with incomes	
49 18 not to exceed two hundred percent of the federal poverty level	
49 19 as defined by the most recently revised income guidelines	
49 20 published by the United States department of health and human	
49 21 services, who are not currently receiving the specific benefit	
49 22 under the medical assistance program:	
49 23 ..... \$ 750,000	
49 24 Moneys appropriated under this section shall not be used to	Prohibits the Family Planning funding from being used for abortions.
49 25 provide abortions. The department shall work with appropriate	Requires the DHS to work with stakeholders for implementation of the
49 26 stakeholders to implement and administer the program.	funding.
49 27 Sec. 30. PREGNANCY COUNSELING AND SUPPORT SERVICES PROGRAM	General Fund appropriation to the DHS for Pregnancy Counseling and
49 28 == APPROPRIATION. There is appropriated from the general fund	Support Services.
49 29 of the state to the department of human services for the	
49 30 fiscal year beginning July 1, 2008, and ending June 30, 2009,	DETAIL: This is a new appropriation for FY 2009.
49 31 the following amount or so much thereof as is necessary for	
49 32 the purpose designated:	
49 33 For a pregnancy counseling and support services program as	

49 34 specified in this section:

49 35 ..... \$ 200,000

50 1 The department of human services shall establish a  
50 2 pregnancy counseling and support services program to provide  
50 3 core services consisting of information, education,  
50 4 counseling, and support services to women who experience  
50 5 unplanned pregnancies by supporting childbirth, assisting  
50 6 pregnant women in remaining healthy and maintaining a healthy  
50 7 pregnancy while deciding whether to keep the child or place  
50 8 the child for adoption, and assisting women after the birth of  
50 9 a child. The services provided may include but are not  
50 10 limited to: counseling and mentoring; pregnancy, childbirth,  
50 11 and parenting classes; fostering of a statewide pregnancy and  
50 12 parenting support system; assistance with physical and mental  
50 13 well-being of a woman during pregnancy and postdelivery;  
50 14 assistance with the physical well-being of the woman during  
50 15 pregnancy and the newborn; assistance with food, shelter,  
50 16 clothing, health care, child care, and employment; and other  
50 17 supportive programs and services. The department shall award  
50 18 grants to service providers that have been in existence for at  
50 19 least one year prior to the awarding of the grant, are  
50 20 qualified and experienced in providing core pregnancy support  
50 21 services that support childbirth and parenting support  
50 22 services, including qualified Medicaid providers, social  
50 23 service agencies, and adoption agencies. Actual provision and  
50 24 delivery of services and counseling shall be dependent on  
50 25 client needs and not otherwise prioritized by agency or  
50 26 agencies administering the program.

Requires the DHS to establish a Pregnancy Counseling and Support Services Program to provide services, information, education, counseling, and support to women that experience unplanned pregnancies.

50 27 Sec. 31. CIVIL MONETARY PENALTIES == DIRECT CARE WORKERS.  
50 28 Of the funds received by the department of human services  
50 29 through federal civil monetary penalties from nursing  
50 30 facilities, during the fiscal year beginning July 1, 2008, and  
50 31 ending June 30, 2009, \$70,000 shall be used to provide  
50 32 conference scholarships to direct care workers, subject to

Requires \$70,000 of the funds received from civil monetary penalties from nursing facilities to be used to provide conference scholarships for direct care workers.

50 33 approval by the centers for Medicare and Medicaid services of  
50 34 the United States department of health and human services.

50 35 Sec. 32. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
51 1 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER  
THE

51 2 DEPARTMENT OF HUMAN SERVICES.

51 3 1. a. (1) For the fiscal year beginning July 1, 2008,  
51 4 the total state funding amount for the nursing facility budget  
51 5 shall not exceed \$183,367,323.

51 6 (2) For the state fiscal year beginning July 1, 2008, the  
51 7 patient=day weighted medians used in rate setting for nursing  
51 8 facilities shall be recalculated and the rates adjusted to  
51 9 provide an increase in nursing facility rates by applying the  
51 10 skilled nursing facility market basket inflation factor from  
51 11 the mid=point of the cost report to July 1, 2007, plus 1  
51 12 percent. Nursing facility rates calculated in accordance with  
51 13 this subparagraph shall in no instance exceed the rate  
51 14 component limits as defined in 441 IAC 81.6(16).

51 15 (3) The department, in cooperation with nursing facility  
51 16 representatives, shall review projections for state funding  
51 17 expenditures for reimbursement of nursing facilities on a  
51 18 quarterly basis and the department shall determine if an  
51 19 adjustment to the medical assistance reimbursement rate is  
51 20 necessary in order to provide reimbursement within the state  
51 21 funding amount. Any temporary enhanced federal financial  
51 22 participation that may become available to the Iowa medical  
51 23 assistance program during the fiscal year shall not be used in  
51 24 projecting the nursing facility budget. Notwithstanding 2001  
51 25 Iowa Acts, chapter 192, section 4, subsection 2, paragraph  
51 26 "c", and subsection 3, paragraph "a", subparagraph (2), if the  
51 27 state funding expenditures for the nursing facility budget for  
51 28 the fiscal year beginning July 1, 2008, are projected to  
51 29 exceed the amount specified in subparagraph (1), the  
51 30 department shall adjust the reimbursement for nursing  
51 31 facilities reimbursed under the case=mix reimbursement system  
51 32 to maintain expenditures of the nursing facility budget within

Caps nursing facility reimbursements at \$183,367,323 and requires the DHS to adjust the inflation factor in the case-mix reimbursement rate if expenditures exceed the cap. Provides for a market basket inflation factor from the FY 2008 mid-point cost report plus a 1.00% provider reimbursement rate increase.

DETAIL: This is a decrease of \$750,000 compared to the FY 2008 cap. The decrease reflects the reduction in the nursing facility accountability payment.

51 33 the specified amount. The department shall revise such  
51 34 reimbursement as necessary to adjust the annual accountability  
51 35 measures payment in accordance with the amendment in this  
52 1 division of this Act to 2001 Iowa Acts, chapter 192, section  
52 2 4, subsection 4.

52 3 b. For the fiscal year beginning July 1, 2008, the  
52 4 department shall reimburse pharmacy dispensing fees using a  
52 5 single rate of \$4.57 per prescription or the pharmacy's usual  
52 6 and customary fee, whichever is lower.

Requires a reimbursement rate of \$4.57 for pharmacist services using a single dispensing fee per prescription or the usual and customary fee, whichever is lower.

DETAIL: This is an increase of \$0.05 compared to the FY 2008 dispensing fee to reflect the 1.00% provider reimbursement rate increase.

52 7 c. (1) (a) For the fiscal year beginning July 1, 2008,  
52 8 reimbursement rates for inpatient and outpatient hospital  
52 9 services shall be increased by 1 percent over the rates in  
52 10 effect on June 30, 2008.

Requires rate reimbursements for inpatient and outpatient hospital services to be increased by 1.00% compared to FY 2008 provider reimbursement rates.

52 11 (b) If the centers for Medicare and Medicaid services of  
52 12 the United States department of health and human services does  
52 13 not approve the increased reimbursement for hospitals provided  
52 14 pursuant to subparagraph subdivision (a), of the funds  
52 15 appropriated to the department for reimbursement to medical  
52 16 assistance providers for the fiscal year beginning July 1,  
52 17 2008, \$1,700,000 shall be used as nonmedical assistance  
52 18 payments to hospitals paid under the prospective payment  
52 19 system methodology under the medical assistance program for  
52 20 the purposes of addressing health care workforce shortages by  
52 21 increasing salaries for registered nurses who are permanent  
52 22 employees, eligible for benefits, and who provide direct care  
52 23 to patients.

Requires hospitals to receive \$1,700,000 to be used to address health care workforce shortages and increasing salaries for registered nurses if the Centers for Medicare and Medicaid Services does not approve a provider reimbursement increase for hospitals.

52 24 (c) Hospitals paid under the prospective payment system  
52 25 methodology under the medical assistance program shall report

Requires hospitals paid under the Medicaid program to report the amount nursing salaries were increased compared to the total amount



52 26 to the department the total amount of nurse salary increases  
52 27 compared to the total amount of the medical assistance payment  
52 28 increase for the fiscal year beginning July 1, 2008. Nurse  
52 29 salary information shall only include information for  
52 30 registered nurses who are permanent employees, eligible for  
52 31 benefits, and who provide direct care to patients. Reports  
52 32 submitted shall be a public record.

of increase provided for FY 2009.

52 33 (d) The department shall continue the outpatient hospital  
52 34 reimbursement system based upon ambulatory patient groups  
52 35 implemented pursuant to 1994 Iowa Acts, chapter 1186, section  
53 1 25, subsection 1, paragraph "f", unless the department adopts  
53 2 the Medicare ambulatory payment classification methodology  
53 3 authorized in subparagraph (2).

Requires continuation of the outpatient reimbursement system utilizing Ambulatory Patient Groups implemented in FY 1995.

53 4 (2) The department may implement the Medicare ambulatory  
53 5 payment classification methodology for reimbursement of  
53 6 outpatient hospital services. Any change in hospital  
53 7 reimbursement shall be budget neutral.

Requires the DHS to continue a revised payment policy relating to screening and treatment provided in hospital emergency waiting rooms. Prohibits any rebasing of rates from increasing total payments for services.

53 8 (3) In order to ensure the efficient use of limited state  
53 9 funds in procuring health care services for low-income lowans,  
53 10 funds appropriated in this Act for hospital services shall not  
53 11 be used for activities which would be excluded from a  
53 12 determination of reasonable costs under the federal Medicare  
53 13 program pursuant to 42 U.S.C. 1395X(v)(1)(N).

Requires funds appropriated for hospital activities to be used for activities pursuant to the federal Medicare program.

53 14 d. For the fiscal year beginning July 1, 2008,  
53 15 reimbursement rates for rural health clinics, hospices,  
53 16 independent laboratories, and acute mental hospitals shall be  
53 17 increased in accordance with increases under the federal  
53 18 Medicare program or as supported by their Medicare audited  
53 19 costs.

Requires rural health clinics, hospice services, and acute mental hospitals to be reimbursed at the rate established under the federal Medicare Program for FY 2009.

53 20 e. (1) For the fiscal year beginning July 1, 2008,

Requires rates to home health agencies to increase by 1.00% of the

53 21 reimbursement rates for home health agencies shall be	rate in effect June 30, 2008.
53 22 increased by 1 percent over the rates in effect on June 30,	
53 23 2008, not to exceed a home health agency's actual allowable	
53 24 cost.	
53 25 (2) The department shall establish a fixed fee	Requires the DHS to establish a fixed-fee reimbursement schedule for
53 26 reimbursement schedule for home health agencies under the	home health services beginning in FY 2009.
53 27 medical assistance program beginning July 1, 2009.	
53 28 f. For the fiscal year beginning July 1, 2008, federally	Requires the DHS to reimburse federally qualified health centers
53 29 qualified health centers shall receive cost=based	100.00% of reasonable costs for the provision of services to Medical
53 30 reimbursement for 100 percent of the reasonable costs for the	Assistance Program recipients.
53 31 provision of services to recipients of medical assistance.	
53 32 g. For the fiscal year beginning July 1, 2008, the	Requires the FY 2009 reimbursement rates for dental services to be
53 33 reimbursement rates for dental services shall be increased by	increased by 1.00%.
53 34 1 percent over the rates in effect on June 30, 2008.	
53 35 h. For the fiscal year beginning July 1, 2008, the maximum	Sets the FY 2009 reimbursement rate for psychiatric medical
54 1 reimbursement rate for psychiatric medical institutions for	institutions for children (PMICs) at \$167.19 per day.
54 2 children shall be \$167.19 per day.	DETAIL: This is an increase of \$1.66 in the maximum per day rate
	compared to FY 2008 to reflect a 1.00% increase in provider
	reimbursements.
54 3 i. For the fiscal year beginning July 1, 2008, unless	Requires the FY 2009 reimbursement rates for all non-institutional
54 4 otherwise specified in this Act, all noninstitutional medical	Medical Assistance providers, with specified exceptions, shall be
54 5 assistance provider reimbursement rates shall be increased by	increased by 1.00%.
54 6 1 percent over the rates in effect on June 30, 2008, except	
54 7 for area education agencies, local education agencies, infant	
54 8 and toddler services providers, and those providers whose	
54 9 rates are required to be determined pursuant to section	
54 10 249A.20.	
54 11 j. Notwithstanding any provision to the contrary, for the	CODE: Requires the FY 2009 reimbursement rates for

54 12 fiscal year beginning July 1, 2008, the reimbursement rate for  
54 13 anesthesiologists shall be increased by 1 percent over the  
54 14 medical assistance rate for anesthesiologists in effect on  
54 15 July 1, 2007.

anesthesiologists to be increased by 1.00%.

54 16 k. Notwithstanding section 249A.20, for the fiscal year  
54 17 beginning July 1, 2008, the average reimbursement rate for  
54 18 health care providers eligible for use of the federal Medicare  
54 19 resource-based relative value scale reimbursement methodology  
54 20 under that section shall be increased by 1 percent over the  
54 21 rate in effect on June 30, 2008; however, this rate shall not  
54 22 exceed the maximum level authorized by the federal government.

CODE: Requires the FY 2009 rates for health providers eligible for average rate reimbursement to increase by 1.00%.

54 23 l. For the fiscal year beginning July 1, 2008, the  
54 24 reimbursement rate for residential care facilities shall not  
54 25 be less than the minimum payment level as established by the  
54 26 federal government to meet the federally mandated maintenance  
54 27 of effort requirement. The flat reimbursement rate for  
54 28 facilities electing not to file semiannual cost reports shall  
54 29 not be less than the minimum payment level as established by  
54 30 the federal government to meet the federally mandated  
54 31 maintenance of effort requirement.

Requires the reimbursement rates for residential care facilities to be no less than the minimum payment level required to meet the federal maintenance of effort requirement.

54 32 m. For the fiscal year beginning July 1, 2008, inpatient  
54 33 mental health services provided at hospitals shall be  
54 34 reimbursed at the cost of the services, subject to Medicaid  
54 35 program upper payment limit rules; community mental health  
55 1 centers and providers of mental health services to county  
55 2 residents pursuant to a waiver approved under section 225C.7,  
55 3 subsection 3, shall be reimbursed at 100 percent of the  
55 4 reasonable costs for the provision of services to recipients  
55 5 of medical assistance; and psychiatrists shall be reimbursed  
55 6 at the medical assistance program fee for service rate.

Requires the FY 2009 reimbursement rate for inpatient mental health services at hospitals to be set at 100.00% of costs.

55 7 2. For the fiscal year beginning July 1, 2008, the

Establishes the maximum FY 2009 reimbursement rate for in-home

55 8 reimbursement rate for providers reimbursed under the in=  
55 9 home-related care program shall not be less than the minimum  
55 10 payment level as established by the federal government to meet  
55 11 the federally mandated maintenance of effort requirement.

health-related care providers at the minimum payment level established by the federal government.

55 12 3. Unless otherwise directed in this section, when the  
55 13 department's reimbursement methodology for any provider  
55 14 reimbursed in accordance with this section includes an  
55 15 inflation factor, this factor shall not exceed the amount by  
55 16 which the consumer price index for all urban consumers  
55 17 increased during the calendar year ending December 31, 2002.

Specifies that when the required reimbursement methodology for providers under this Section includes an inflation factor, the factor cannot exceed the increase in the Consumer Price Index (CPI) for Urban Consumers for the calendar year ending December 31, 2002.

55 18 4. For the fiscal year beginning July 1, 2008, the foster  
55 19 family basic daily maintenance rate paid in accordance with  
55 20 section 234.38, the maximum adoption subsidy rate, and the  
55 21 maximum supervised apartment living foster care rate for  
55 22 children ages 0 through 5 years shall be \$16.36, the rate for  
55 23 children ages 6 through 11 years shall be \$17.01, the rate for  
55 24 children ages 12 through 15 years shall be \$18.62, and the  
55 25 rate for children ages 16 and older shall be \$18.87.

Provides the daily family foster care rates and the maximum adoption subsidy rates for children by age range for FY 2009.

DETAIL: The rates are increased compared to FY 2008 to maintain rates at 65.00% of the United States Department of Agriculture cost to raise a child as set forth in statute.

55 26 5. For the fiscal year beginning July 1, 2008, the maximum  
55 27 reimbursement rates for social services providers reimbursed  
55 28 under a purchase of social services contract shall be  
55 29 increased by 1 percent over the rates in effect on June 30,  
55 30 2008, or the provider's actual and allowable cost plus  
55 31 inflation for each service, whichever is less. However, the  
55 32 rates may be adjusted under any of the following  
55 33 circumstances:

Requires the maximum reimbursement rates for social service providers, including the Resource Family Recruitment and Retention Contractor, to be the same rate as provided in FY 2008, and provides for circumstances when the rates may be adjusted.

55 34 a. If a new service was added after June 30, 2008, the  
55 35 initial reimbursement rate for the service shall be based upon  
56 1 actual and allowable costs.  
56 2 b. If a social service provider loses a source of income  
56 3 used to determine the reimbursement rate for the provider, the  
56 4 provider's reimbursement rate may be adjusted to reflect the

56 5 loss of income, provided that the lost income was used to  
56 6 support actual and allowable costs of a service purchased  
56 7 under a purchase of service contract.

56 8 6. For the fiscal year beginning July 1, 2008, the  
56 9 reimbursement rates for family-centered service providers,  
56 10 family foster care service providers, group foster care  
56 11 service providers, and the resource family recruitment and  
56 12 retention contractor shall be increased by 1 percent over  
56 13 rates in effect on June 30, 2008.

Maintains foster care reimbursement rates for specified providers in FY 2009 at the same level as FY 2008.

56 14 7. The group foster care reimbursement rates paid for  
56 15 placement of children out of state shall be calculated  
56 16 according to the same rate-setting principles as those used  
56 17 for in-state providers, unless the director of human services  
56 18 or the director's designee determines that appropriate care  
56 19 cannot be provided within the state. The payment of the daily  
56 20 rate shall be based on the number of days in the calendar  
56 21 month in which service is provided.

Requires the group foster care reimbursement rates paid for placement of children out-of-state to be calculated according to the same rate-setting principles as those used for in-state providers, unless the Director of the DHS determines that appropriate care cannot be provided in the State. Also, requires payment of the daily rate to be based on the number of days in the calendar month that service is provided.

56 22 8. For the fiscal year beginning July 1, 2008, remedial  
56 23 service providers shall receive cost-based reimbursement for  
56 24 100 percent of the reasonable costs plus 1 percent not to  
56 25 exceed the established limit for the provision of services to  
56 26 recipients of medical assistance.

Requires the FY 2009 child welfare remedial service providers to be reimbursed at 100.00% of the cost-based reimbursement.

DETAIL: This is a new reimbursement system based on changes implemented by the DHS during FY 2008.

56 27 9. a. For the fiscal year beginning July 1, 2008, the  
56 28 combined service and maintenance components of the  
56 29 reimbursement rate paid for shelter care services purchased  
56 30 under a contract shall be based on the financial and  
56 31 statistical report submitted to the department. The maximum  
56 32 reimbursement rate shall be \$92.36 per day. The department  
56 33 shall reimburse a shelter care provider at the provider's  
56 34 actual and allowable unit cost, plus inflation, not to exceed  
56 35 the maximum reimbursement rate.

Requires the FY 2009 combined service and maintenance components of the reimbursement rate paid to shelter care providers to be based on the cost report submitted to the DHS. Also, requires a maximum reimbursement rate of \$91.45 per day, and requires the DHS to reimburse shelter care providers at the actual and allowable unit cost, plus inflation, not to exceed the maximum reimbursement rate.

DETAIL: This maintains the rate received in FY 2008.

57 1 b. Notwithstanding section 232.141, subsection 8, for the  
57 2 fiscal year beginning July 1, 2008, the amount of the  
57 3 statewide average of the actual and allowable rates for  
57 4 reimbursement of juvenile shelter care homes that is utilized  
57 5 for the limitation on recovery of unpaid costs shall be  
57 6 increased by \$0.91 over the amount in effect for this purpose  
57 7 in the preceding fiscal year.

CODE: Maintains the limit of the Statewide average reimbursement rates paid to shelter care providers that was received in FY 2008. This impacts the amount of charges that are reimbursed.

57 8 10. For the fiscal year beginning July 1, 2008, the  
57 9 department shall calculate reimbursement rates for  
57 10 intermediate care facilities for persons with mental  
57 11 retardation at the 80th percentile.

Requires the DHS to calculate reimbursement rates for intermediate care facilities for persons with mental retardation (ICF/MRs) at the 80th percentile for FY 2009.

57 12 11. For the fiscal year beginning July 1, 2008, for child  
57 13 care providers reimbursed under the state child care  
57 14 assistance program, the department shall set provider  
57 15 reimbursement rates based on the rate reimbursement survey  
57 16 completed in December 2004. Effective October 1, 2008, the  
57 17 child care provider reimbursement rates shall be increased by  
57 18 2 percent over the rates in effect on September 30, 2008. The  
57 19 department shall set rates in a manner so as to provide  
57 20 incentives for a nonregistered provider to become registered  
57 21 by applying the increase only to registered and licensed  
57 22 providers.

Requires the DHS to set FY 2009 provider reimbursement rates for child care providers based on the rate reimbursement survey completed in December 2004. Requires rates to be set in a manner that will provide incentives for non-registered providers to become registered.

57 23 12. For the fiscal year beginning July 1, 2008,  
57 24 reimbursements for providers reimbursed by the department of  
57 25 human services may be modified if appropriated funding is  
57 26 allocated for that purpose from the senior living trust fund  
57 27 created in section 249H.4, or as specified in appropriations  
57 28 from the healthy lowans tobacco trust created in section  
57 29 12.65.

Specifies that FY 2009 reimbursements for providers reimbursed by the DHS may be modified if appropriated funding is allocated for that purpose from the Senior Living Trust Fund or as specified in appropriations from the Healthy lowans Tobacco Trust Fund.

57 30 13. The department may adopt emergency rules to implement  
57 31 this section.

Permits the DHS to adopt emergency rules to implement these reimbursements.

57 32 Sec. 33. 2001 Iowa Acts, chapter 192, section 4,  
57 33 subsection 4, is amended to read as follows:  
57 34 4. ACCOUNTABILITY MEASUREMENTS == ANNUAL  
57 35 ACCOUNTABILITY PAYMENTS .

58 1 a. It is the intent of the general assembly that the  
58 2 department of human services initiate a system to measure a  
58 3 variety of elements to determine a nursing facility's capacity  
58 4 to provide quality of life and appropriate access to medical  
58 5 assistance program beneficiaries in a cost-effective manner.  
58 6 Beginning July 1, 2001, the department shall implement a  
58 7 process to collect data for these measurements and shall  
58 8 develop procedures to increase nursing facility reimbursements  
58 9 based upon a nursing facility's achievement of multiple  
58 10 favorable outcomes as determined by these measurements. Any  
58 11 increased reimbursement shall not exceed 3 percent of the  
58 12 calculation of the modified price-based case-mix reimbursement  
58 13 median. The increased reimbursement shall be included in the  
58 14 calculation of nursing facility modified price-based payment  
58 15 rates beginning July 1, 2002, with the exception of  
58 16 Medicare-certified hospital-based nursing facilities,  
58 17 state-operated nursing facilities, and special population  
58 18 nursing facilities.

58 19 ~~b. It is the intent of the general assembly that increases~~  
58 20 ~~in payments to nursing facilities under the case-mix adjusted~~  
58 21 ~~component shall be used for the provision of direct care with~~  
58 22 ~~an emphasis on compensation to direct care workers. The~~  
58 23 ~~department shall compile and provide a detailed analysis to~~  
58 24 ~~demonstrate growth of direct care costs, increased acuity, and~~  
58 25 ~~care needs of residents. The department shall also provide~~  
58 26 ~~analysis of cost reports submitted by providers and the~~  
58 27 ~~resulting desk review and field audit adjustments to~~  
58 28 ~~reclassify and amend provider cost and statistical data. The~~  
58 29 ~~results of these analyses shall be submitted to the general~~  
58 30 ~~assembly for evaluation to determine payment levels following~~  
58 31 ~~the transition funding period.~~

58 32 b. Beginning July 1, 2008, notwithstanding any law or rule  
58 33 to the contrary, the increased nursing facility reimbursement

CODE: Requires nursing facility accountability measure payments to be reduced if a minor deficiency is received during the year and eliminated in some cases for that fiscal year if there is a major deficiency. Eliminates the intent that nursing facilities increase direct care worker compensation from 2001 Session Law.

58 34 available pursuant to paragraph "a" shall be based upon the  
58 35 accountability measures and calculations existing on July 1,  
59 1 2008, pursuant to 441 IAC 81.6(16)(g), as adjusted in  
59 2 accordance with the following provisions, and the increased  
59 3 reimbursement shall be disbursed to each qualifying nursing  
59 4 facility as an accountability payment at the end of each  
59 5 fiscal year. The department of human services shall request  
59 6 any medical assistance state plan amendment necessary to  
59 7 implement the modified accountability payment methodology. If  
59 8 the department does not receive approval of the state plan  
59 9 amendment, the funds designated for the purposes of providing  
59 10 the accountability measures payment shall instead be disbursed  
59 11 through the case=mix reimbursement system:  
59 12 (1) If a nursing facility receives a citation resulting in  
59 13 actual harm pursuant to the federal certification guidelines  
59 14 at a G level scope and severity or higher, the increased  
59 15 reimbursement calculated for payment under this paragraph "b"  
59 16 shall be reduced by 25 percent for each such citation during  
59 17 the year. Additionally, if a nursing facility fails to cure  
59 18 any deficiency cited within the time required by the  
59 19 department of inspections and appeals, the increased  
59 20 reimbursement calculated for payment under this paragraph  
59 21 shall be forfeited and the nursing facility shall not receive  
59 22 any accountability measure payment for the year.  
59 23 (2) If a nursing facility receives a deficiency resulting  
59 24 in actual harm or immediate jeopardy, pursuant to the federal  
59 25 certification guidelines at an H level scope and severity or  
59 26 higher, regardless of the amount of any fines assessed, the  
59 27 increased reimbursement calculated for payment under this  
59 28 paragraph "b" shall be forfeited and the nursing facility  
59 29 shall not receive any accountability measure payment for the  
59 30 year.  
59 31 (3) Beginning July 1, 2008, accountability measure  
59 32 payments to providers shall be reduced by 20 percent of the  
59 33 calculated amount. The percentage reduction shall continue  
59 34 until June 30, 2009, or until such time as the general  
59 35 assembly adopts a modification of the accountability measures  
60 1 system.



60 2 c. It is the intent of the general assembly that the  
60 3 department of human services assemble a workgroup to develop  
60 4 recommendations to redesign the accountability measures for  
60 5 implementation in the fiscal year beginning July 1, 2009. The  
60 6 workgroup shall include long-term care services stakeholders  
60 7 and advocates including but not limited to representatives of  
60 8 the AARP Iowa chapter, direct care workers, long-term care  
60 9 provider entities, the state and local offices of the  
60 10 long-term care resident's advocate, the older Iowans'  
60 11 legislature, area agencies on aging, the consumer members of  
60 12 the senior living coordinating unit, the department of elder  
60 13 affairs, the department of inspections and appeals, and the  
60 14 chairpersons and ranking members of the joint appropriations  
60 15 subcommittee on health and human services. The workgroup  
60 16 shall submit its recommendations for the redesigned  
60 17 accountability measures which shall meet all of the following  
60 18 specifications:  
60 19 (1) Acknowledge and establish higher benchmarks for  
60 20 performance-based reimbursement to those nursing facilities  
60 21 meeting the identified and weighted components recommended by  
60 22 the workgroup.  
60 23 (2) Reinforce the expectation that the performance-based  
60 24 payments will be used to support direct care and support care  
60 25 staff through increased wages, enhanced benefits, and expanded  
60 26 training opportunities and provide a system for determining  
60 27 compliance with this expectation.  
60 28 (3) Identify the best practices that are used in  
60 29 facilities receiving a performance-based payment and create a  
60 30 system to assist other facilities in the implementation of  
60 31 those best practices.

CODE: Specifies legislative intent that the DHS assemble a long-term care services stakeholder workgroup to redesign the accountability measures.

60 32 Sec. 34. REVIEW == DRUG PRODUCT SELECTION. On or after  
60 33 the effective date of this section, the chairpersons of the  
60 34 joint appropriations subcommittee on health and human services  
60 35 shall convene a group of representatives of appropriate  
61 1 entities to review current law regarding drug product  
61 2 selection. The representatives shall include but are not

Requires the Chairpersons of the Health and Human Services Appropriations Subcommittee to convene a group to review current laws regarding drug product selection.

61 3 limited to representatives of the Iowa pharmacy association,  
61 4 the Iowa medical society, pharmacy industry representatives of  
61 5 the Iowa retail federation, advocacy groups, the department of  
61 6 human services, the board of pharmacy, and the department of  
61 7 public health. The legislative services agency shall provide  
61 8 administrative support to the group. The group shall complete  
61 9 its deliberations on or before December 15, 2008.

61 10 Sec. 35. VISUAL ASSESSMENTS AND REPAIR OF LEAD HAZARDS.  
61 11 The department of human services and the department of  
61 12 education shall adopt rules to require programs and facilities  
61 13 under the purview of the respective department to conduct  
61 14 visual assessments for lead hazards and to repair lead hazards  
61 15 identified.

Requires the DHS and the Department of Education to adopt rules to require programs and facilities under their purview to conduct visual assessments for lead hazards.

61 16 Sec. 36. EMERGENCY RULES. If specifically authorized by a  
61 17 provision of this division of this Act, the department of  
61 18 human services or the mental health, mental retardation,  
61 19 developmental disabilities, and brain injury commission may  
61 20 adopt administrative rules under section 17A.4, subsection 2,  
61 21 and section 17A.5, subsection 2, paragraph "b", to implement  
61 22 the provisions and the rules shall become effective  
61 23 immediately upon filing or on a later effective date specified  
61 24 in the rules, unless the effective date is delayed by the  
61 25 administrative rules review committee. Any rules adopted in  
61 26 accordance with this section shall not take effect before the  
61 27 rules are reviewed by the administrative rules review  
61 28 committee. The delay authority provided to the administrative  
61 29 rules review committee under section 17A.4, subsection 5, and  
61 30 section 17A.8, subsection 9, shall be applicable to a delay  
61 31 imposed under this section, notwithstanding a provision in  
61 32 those sections making them inapplicable to section 17A.5,  
61 33 subsection 2, paragraph "b". Any rules adopted in accordance  
61 34 with the provisions of this section shall also be published as  
61 35 notice of intended action as provided in section 17A.4.

Permits the Department of Human Services and the Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission to adopt emergency rules when authorized.

62 1 Sec. 37. REPORTS. Any reports or information required to  
 62 2 be compiled and submitted under this Act shall be submitted to  
 62 3 the chairpersons and ranking members of the joint  
 62 4 appropriations subcommittee on health and human services, the  
 62 5 legislative services agency, and the legislative caucus staffs  
 62 6 on or before the dates specified for submission of the reports  
 62 7 or information.

Requires the Department of Elder Affairs, the Department of Public Health, the Department of Human Services, the Department of Veterans Affairs, and the Iowa Veterans Home to submit reports required in this Bill to the Chairpersons and Ranking members of the Health and Human Services Appropriations Subcommittee, the Legislative Services Agency, and the four Caucus staffs on or before the required dates of the reports.

62 8 Sec. 38. EFFECTIVE DATE. The following provisions of this  
 62 9 division of this Act, being deemed of immediate importance,  
 62 10 take effect upon enactment:  
 62 11 1. The provision under the appropriation for child and  
 62 12 family services, relating to requirements of section 232.143  
 62 13 for representatives of the department of human services and  
 62 14 juvenile court services to establish a plan for continuing  
 62 15 group foster care expenditures for the 2008=2009 fiscal year.  
 62 16 2. The section directing the chairpersons of the joint  
 62 17 appropriations subcommittee on health and human services to  
 62 18 convene a group to review drug product selection.

Specifies that the requirement for the DHS and Juvenile Court Services to develop an FY 2009 funding distribution plan by June 15, 2008, takes effect on enactment. Specifies that the workgroup for the Medicaid drug product selection is effective on enactment.

62 19 DIVISION II  
 62 20 SENIOR LIVING TRUST FUND,  
 62 21 PHARMACEUTICAL SETTLEMENT ACCOUNT,  
 62 22 IOWACARE ACCOUNT, HEALTH CARE  
 62 23 TRANSFORMATION ACCOUNT, AND  
 62 24 PROPERTY TAX RELIEF FUND

Senior Living Trust Fund, Pharmaceutical Settlement Account, IowaCare Account, and Health Care Transformation Account appropriations for FY 2009.

62 25 Sec. 39. DEPARTMENT OF ELDER AFFAIRS. There is  
 62 26 appropriated from the senior living trust fund created in  
 62 27 section 249H.4 to the department of elder affairs for the  
 62 28 fiscal year beginning July 1, 2008, and ending June 30, 2009,  
 62 29 the following amount, or so much thereof as is necessary, to  
 62 30 be used for the purpose designated:  
 62 31 For the development and implementation of a comprehensive  
 62 32 senior living program, including case management only if the

Senior Living Trust Fund appropriation to the Department of Elder Affairs.

DETAIL: Maintains the current level of funding.

62 33 monthly cost per client for case management for the frail  
 62 34 elderly services provided does not exceed an average of \$70,  
 62 35 and including program administration and costs associated with  
 63 1 implementation:  
 63 2 ..... \$ 8,442,707

63 3 1. Of the funds appropriated in this section, \$2,196,967  
 63 4 shall be used for case management for the frail elderly. Of  
 63 5 the funds allocated in this subsection, \$1,010,000 shall be  
 63 6 transferred to the department of human services in equal  
 63 7 amounts on a quarterly basis for reimbursement of case  
 63 8 management services provided under the medical assistance  
 63 9 elderly waiver. The monthly cost per client for case  
 63 10 management for the frail elderly services provided shall not  
 63 11 exceed an average of \$70.

Requires an allocation of \$2,196,967 for the Case Management Program for the Frail Elderly, and requires \$1,010,000 of the allocation to be transferred to the DHS in equal amounts on a quarterly basis for reimbursement under the Medicaid Elderly Waiver. Limits the monthly cost per client to \$70.00.

DETAIL: Maintains current allocation and transfer levels.

63 12 2. Notwithstanding section 249H.7, the department of elder  
 63 13 affairs shall distribute up to \$400,000 of the funds  
 63 14 appropriated in this section in a manner that will supplement  
 63 15 and maximize federal funds under the federal Older Americans  
 63 16 Act and shall not use the amount distributed for any  
 63 17 administrative purposes of either the department of elder  
 63 18 affairs or the area agencies on aging.

CODE: Requires the Department of Elder Affairs to use up to \$400,000 of the Senior Living Trust Fund appropriation to maximize federal funds under the Older Americans Act, and prohibits these funds from being used for administration.

63 19 3. Of the funds appropriated in this section, \$60,000  
 63 20 shall be used to provide dementia-specific education to direct  
 63 21 care workers and other providers of long-term care to enhance  
 63 22 existing or scheduled efforts through the Iowa caregivers  
 63 23 association, the Alzheimer's association, and other  
 63 24 organizations identified as appropriate by the department.

Allocates \$60,000 for dementia-specific education for direct care workers.

DETAIL: Maintains the current allocation level.

63 25 Sec. 40. DEPARTMENT OF INSPECTIONS AND APPEALS. There is  
 63 26 appropriated from the senior living trust fund created in  
 63 27 section 249H.4 to the department of inspections and appeals  
 63 28 for the fiscal year beginning July 1, 2008, and ending June

Senior Living Trust Fund appropriation to the Department of Inspections and Appeals for inspection and certification of assisted living facilities and adult day care services.

63 29 30, 2009, the following amount, or so much thereof as is  
 63 30 necessary, to be used for the purpose designated:  
 63 31 For the inspection and certification of assisted living  
 63 32 facilities and adult day care services, including program  
 63 33 administration and costs associated with implementation:  
 63 34 ..... \$ 1,183,303

DETAIL: Maintains current level of Senior Living Trust Fund support and FTE positions.

63 35 Sec. 41. DEPARTMENT OF HUMAN SERVICES. There is  
 64 1 appropriated from the senior living trust fund created in  
 64 2 section 249H.4 to the department of human services for the  
 64 3 fiscal year beginning July 1, 2008, and ending June 30, 2009,  
 64 4 the following amount, or so much thereof as is necessary, to  
 64 5 be used for the purpose designated:

64 6 To supplement the medical assistance appropriations made in  
 64 7 this Act, including program administration and costs  
 64 8 associated with implementation:  
 64 9 ..... \$ 111,753,195

Senior Living Trust Fund appropriation to the DHS to supplement the Medical Assistance (Medicaid) appropriation.

DETAIL: This is an increase of \$46,753,195 and no change in FTE positions compared to the FY 2008 appropriation from the Senior Living Trust Fund to increase funding available for increased costs of the Medicaid Program.

64 10 In order to carry out the purposes of this section, the  
 64 11 department may transfer funds appropriated in this section to  
 64 12 supplement other appropriations made to the department of  
 64 13 human services.

Requires the DHS to transfer funds to supplement other appropriations made to the DHS to carry out the purposes of this Section.

64 14 Sec. 42. IOWA FINANCE AUTHORITY. There is appropriated  
 64 15 from the senior living trust fund created in section 249H.4 to  
 64 16 the Iowa finance authority for the fiscal year beginning July  
 64 17 1, 2008, and ending June 30, 2009, the following amount, or so  
 64 18 much thereof as is necessary, to be used for the purposes  
 64 19 designated:  
 64 20 To provide reimbursement for rent expenses to eligible  
 64 21 persons:

Senior Living Trust Fund appropriation to the Iowa Finance Authority (IFA) for the Rent Subsidy Program.

DETAIL: Maintains the current level of Senior Living Trust Fund support.

64 22 ..... \$ 700,000

64 23 Participation in the rent subsidy program shall be limited  
 64 24 to only those persons who meet the requirements for the  
 64 25 nursing facility level of care for home and community-based  
 64 26 services waiver services as in effect on July 1, 2008, and to  
 64 27 those individuals who are eligible for the federal money  
 64 28 follows the person grant program under the medical assistance  
 64 29 program.

Requires participation in the Rent Subsidy Program to be limited to individuals at risk of nursing home placement and persons eligible under the federal Money Follows the Person Grant Program.

64 30 Sec. 43. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is  
 64 31 appropriated from the pharmaceutical settlement account  
 64 32 created in section 249A.33 to the department of human services  
 64 33 for the fiscal year beginning July 1, 2008, and ending June  
 64 34 30, 2009, the following amount, or so much thereof as is  
 64 35 necessary, to be used for the purpose designated:  
 65 1 To supplement the appropriations made for medical contracts  
 65 2 under the medical assistance program:  
 65 3 ..... \$ 1,323,833

Pharmaceutical Settlement Account appropriation to the Department of Human Services for medical contracts in Medicaid.

DETAIL: This is a decrease of \$26,000 compared to the estimated net FY 2008 appropriation.

65 4 Sec. 44. APPROPRIATIONS FROM IOWACARE ACCOUNT.  
 65 5 1. There is appropriated from the IowaCare account created  
 65 6 in section 249J.24 to the state board of regents for  
 65 7 distribution to the university of Iowa hospitals and clinics  
 65 8 for the fiscal year beginning July 1, 2008, and ending June  
 65 9 30, 2009, the following amount, or so much thereof as is  
 65 10 necessary, to be used for the purposes designated:

65 11 For salaries, support, maintenance, equipment, and  
 65 12 miscellaneous purposes, for the provision of medical and  
 65 13 surgical treatment of indigent patients, for provision of  
 65 14 services to members of the expansion population pursuant to  
 65 15 chapter 249J, and for medical education:  
 65 16 ..... \$ 27,284,584

IowaCare Account appropriation to the University of Iowa Hospitals and Clinics (UIHC).

DETAIL: Maintains current IowaCare Account support. IowaCare is an indigent care program for uninsured adults with incomes up to 200.00% of the Federal Poverty Level. It was created during the 2005 Legislative Session in response to the elimination of federal Intergovernmental Transfers (IGTs). Fiscal year 2006 was the first

year this appropriation was funded. A portion of the funds are to be used for graduate medical education.

65 17 a. Funds appropriated in this subsection shall not be used  
65 18 to perform abortions except medically necessary abortions, and  
65 19 shall not be used to operate the early termination of  
65 20 pregnancy clinic except for the performance of medically  
65 21 necessary abortions. For the purpose of this subsection, an  
65 22 abortion is the purposeful interruption of pregnancy with the  
65 23 intention other than to produce a live-born infant or to  
65 24 remove a dead fetus, and a medically necessary abortion is one  
65 25 performed under one of the following conditions:

65 26 (1) The attending physician certifies that continuing the  
65 27 pregnancy would endanger the life of the pregnant woman.

65 28 (2) The attending physician certifies that the fetus is  
65 29 physically deformed, mentally deficient, or afflicted with a  
65 30 congenital illness.

65 31 (3) The pregnancy is the result of a rape which is  
65 32 reported within 45 days of the incident to a law enforcement  
65 33 agency or public or private health agency which may include a  
65 34 family physician.

65 35 (4) The pregnancy is the result of incest which is  
66 1 reported within 150 days of the incident to a law enforcement  
66 2 agency or public or private health agency which may include a  
66 3 family physician.

66 4 (5) The abortion is a spontaneous abortion, commonly known  
66 5 as a miscarriage, wherein not all of the products of  
66 6 conception are expelled.

Specifies the conditions that permit the Medical Assistance Program to reimburse providers for abortion services.

DETAIL: The rules regarding abortion that apply to the Medical Assistance Program also apply to IowaCare.

66 7 b. Notwithstanding any provision of law to the contrary,  
66 8 the amount appropriated in this subsection shall be allocated  
66 9 in twelve equal monthly payments as provided in section  
66 10 249J.24.

CODE: Requires the amount appropriated in this Subsection to be allocated in 12 equal monthly payments.

66 11 2. There is appropriated from the IowaCare account created

IowaCare Account appropriation of an additional \$35,969,365 to the

66 12 in section 249J.24 to the state board of regents for  
 66 13 distribution to the university of Iowa hospitals and clinics  
 66 14 for the fiscal year beginning July 1, 2008, and ending June  
 66 15 30, 2009, the following amount, or so much thereof as is  
 66 16 necessary, to be used for the purposes designated:  
 66 17 For salaries, support, maintenance, equipment, and  
 66 18 miscellaneous purposes, for the provision of medical and  
 66 19 surgical treatment of indigent patients, for provision of  
 66 20 services to members of the expansion population pursuant to  
 66 21 chapter 249J, and for medical education:  
 66 22 ..... \$ 35,969,365

State Board of Regents to be distributed to the University of Iowa Hospitals and Clinics (UIHC).

DETAIL: This is an increase of \$10,285,154 compared to estimated FY 2008. The increase is for increased enrollment and utilization of the IowaCare Program.

66 23 The amount appropriated in this subsection shall be  
 66 24 distributed only if expansion population claims adjudicated  
 66 25 and paid by the Iowa Medicaid enterprise exceed the  
 66 26 appropriation to the state board of regents for distribution  
 66 27 to the university of Iowa hospitals and clinics provided in  
 66 28 subsection 1. The amount appropriated in this subsection  
 66 29 shall be distributed monthly for expansion population claims  
 66 30 adjudicated and approved for payment by the Iowa Medicaid  
 66 31 enterprise using medical assistance program reimbursement  
 66 32 rates.

Permits the appropriation to be distributed only if expansion population claims exceed the \$27,284,584 appropriated to the Board of Regents and requires the funds to be distributed monthly.

66 33 3. There is appropriated from the IowaCare account created  
 66 34 in section 249J.24 to the department of human services for the  
 66 35 fiscal year beginning July 1, 2008, and ending June 30, 2009,  
 67 1 the following amount, or so much thereof as is necessary, to  
 67 2 be used for the purposes designated:  
 67 3 For distribution to a publicly owned acute care teaching  
 67 4 hospital located in a county with a population over three  
 67 5 hundred fifty thousand for the provision of medical and  
 67 6 surgical treatment of indigent patients, for provision of  
 67 7 services to members of the expansion population pursuant to  
 67 8 chapter 249J, and for medical education:  
 67 9 ..... \$ 40,000,000

IowaCare Account appropriation to Polk County Broadlawns Medical Center.

DETAIL: Maintains current level of IowaCare Account support. Broadlawns transfers \$34,000,000 of Polk County property tax proceeds to the State to draw down the federal match that funds the IowaCare Program.

67 10 Notwithstanding any provision of law to the contrary, the

CODE: Requires Broadlawns to receive \$37,000,000 in 12 equal



67 11 amount appropriated in this subsection shall be allocated in  
 67 12 twelve equal monthly payments as provided in section 249J.24.  
 67 13 Any amount appropriated in this subsection in excess of  
 67 14 \$37,000,000 shall be allocated only if federal funds are  
 67 15 available to match the amount allocated.

monthly payments and may receive up to \$40,000,000, contingent on the availability of federal matching funds.

67 16 4. There is appropriated from the IowaCare account created  
 67 17 in section 249J.24 to the department of human services for the  
 67 18 fiscal year beginning July 1, 2008, and ending June 30, 2009,  
 67 19 the following amounts, or so much thereof as is necessary, to  
 67 20 be used for the purposes designated:

Specifies that the funds in this Section are to be appropriated from the IowaCare Account to the DHS for support of the State Mental Health Institutes (MHIs).

67 21 a. For the state mental health institute at Cherokee, for  
 67 22 salaries, support, maintenance, and miscellaneous purposes,  
 67 23 including services to members of the expansion population  
 67 24 pursuant to chapter 249J:  
 67 25 ..... \$ 3,164,766

IowaCare Account appropriation to the Cherokee MHI.

DETAIL: This is a decrease of \$5,933,659 compared to the FY 2008 appropriation to reflect the phase-out of funding by the IowaCare Account of the four MHIs expected in the five-year agreement with the federal Centers for Medicare and Medicaid Services (CMS). The balance of the MHI funding is met in Section 9 of this Bill.

67 26 b. For the state mental health institute at Clarinda, for  
 67 27 salaries, support, maintenance, and miscellaneous purposes,  
 67 28 including services to members of the expansion population  
 67 29 pursuant to chapter 249J:  
 67 30 ..... \$ 687,779

IowaCare Account appropriation to the Clarinda MHI.

DETAIL: This is a decrease of \$1,289,526 compared to the FY 2008 appropriation to reflect the phase-out of funding by the IowaCare Account of the four MHIs expected in the five-year agreement with the CMS. The balance of the MHI funding is met in Section 9 of this Bill.

67 31 c. For the state mental health institute at Independence,  
 67 32 for salaries, support, maintenance, and miscellaneous  
 67 33 purposes, including services to members of the expansion  
 67 34 population pursuant to chapter 249J:  
 67 35 ..... \$ 3,146,494

IowaCare Account appropriation to Independence MHI.

DETAIL: This is a decrease of \$5,899,400 compared to the FY 2008 appropriation to reflect the phase-out of funding by the IowaCare Account of the four MHIs as expected in the five-year agreement with the CMS. The balance of the MHI funding is met in Section 9 of this Bill.

68 1 d. For the state mental health institute at Mount

IowaCare Account appropriation to Mount Pleasant MHI.

68 2 Pleasant, for salaries, support, maintenance, and  
 68 3 miscellaneous purposes, including services to members of the  
 68 4 expansion population pursuant to chapter 249J:  
 68 5 ..... \$ 2,000,961

DETAIL: This is a decrease of \$3,751,626 compared to the FY 2008 appropriation to reflect the phase-out of funding by the IowaCare Account of the four MHIs as expected in the five-year agreement with the CMS. The balance of the MHI funding is met in Section 9 of this Bill.

68 6 Sec. 45. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE  
 68 7 TRANSFORMATION. Notwithstanding any provision to the  
 68 8 contrary, there is appropriated from the account for health  
 68 9 care transformation created in section 249J.23 to the  
 68 10 department of human services for the fiscal year beginning  
 68 11 July 1, 2008, and ending June 30, 2009, the following amounts,  
 68 12 or so much thereof as is necessary, to be used for the  
 68 13 purposes designated:

Appropriations from the Health Care Transformation Account (HCTA).

DETAIL: The HCTA was created as part of the agreement with the CMS to discontinue Iowa's Intergovernmental Transfers (IGTs) during the 2005 Legislative Session. It is intended to fund the reforms specified in HF 841 (IowaCare and Medicaid Reform Act) passed during the 2005 Legislative Session.

68 14 1. For the costs of medical examinations and development  
 68 15 of personal health improvement plans for the expansion  
 68 16 population pursuant to section 249J.6:  
 68 17 ..... \$ 556,800

Appropriation from the Health Care Transformation Account (HCTA) for medical examinations and personal improvement plans for IowaCare enrollees.

DETAIL: Maintains the current level of HCTA support.

68 18 2. For the provision of a medical information hotline for  
 68 19 the expansion population as provided in section 249J.6:  
 68 20 ..... \$ 150,000

Appropriation from the HCTA for a medical information hotline for IowaCare enrollees.

DETAIL: Maintains the current level of HCTA support.

68 21 3. For other health promotion partnership activities  
 68 22 pursuant to section 249J.14:  
 68 23 ..... \$ 900,000

Appropriation from the HCTA for other health partnership activities related to IowaCare.

DETAIL: This is an increase of \$350,000 compared to the estimated FY 2008 appropriation.

68 24 4. For the costs related to audits, performance  
 68 25 evaluations, and studies required pursuant to chapter 249J:

Appropriation from the HCTA for costs related to audits, performance evaluations, and studies related to IowaCare.

PG LN	Senate File 2425	Explanation
68 26	..... \$ 400,000	DETAIL: Maintains the current level of HCTA support.
68 27	5. For administrative costs associated with chapter 249J:	Appropriation from the HCTA for IowaCare administrative costs.
68 28	..... \$ 1,132,412	DETAIL: This is an increase of \$202,060 compared to the estimated FY 2008 appropriation.
68 29	6. For planning and development, in cooperation with the	Appropriation from the HCTA to the DHS and the DPH to start a
68 30	department of public health, of a phased-in program to provide	program to provide a dental home for children.
68 31	a dental home for children:	
68 32	..... \$ 1,000,000	DETAIL: This is a decrease of \$186,475 compared to the estimated FY 2008 appropriation.
68 33	The department shall issue a request for proposals for a	Requires the DHS to issue a request for proposals for a Dental Home
68 34	performance-based contract to implement the dental home for	for Children performance-based contract.
68 35	children and shall apply for any waivers from the centers for	
69 1	Medicare and Medicaid services of the United States department	
69 2	of health and human services as necessary to pursue a	
69 3	phased-in approach. The department shall submit progress	
69 4	reports regarding the planning and development of the dental	
69 5	home for children to the medical assistance projections and	
69 6	assessment council on a periodic basis.	
69 7	7. For a mental health transformation pilot program:	Appropriation from the HCTA for a mental health transformation pilot
69 8	..... \$ 250,000	program.
		DETAIL: Maintains the current level of HCTA support.
69 9	8. For the tuition assistance for individuals serving	Appropriation from the HCTA for tuition assistance for individuals
69 10	individuals with disabilities pilot program as enacted in this	serving individuals with disabilities pilot program.
69 11	Act:	
69 12	..... \$ 500,000	DETAIL: This is a new appropriation for FY 2009.
69 13	9. For payment to the publicly owned acute care teaching	Appropriation from the HCTA for the Polk County Broadlawns Medical

69 14 hospital located in a county with a population of over 350,000  
 69 15 that is a participating provider pursuant to chapter 249J:  
 69 16 ..... \$ 230,000

Center for the IowaCare Program. Requires distribution of the funds on a monthly basis.

DETAIL: This is a new appropriation for FY 2009.

69 17 Disbursements under this subsection shall be made monthly.  
 69 18 The hospital shall submit a report following the close of the  
 69 19 fiscal year regarding use of the funds appropriated in this  
 69 20 subsection to the persons specified in this Act to receive  
 69 21 reports.

Requires the DHS to make 12 monthly payments to Polk County Broadlawns Medical Center for the appropriation. Requires a FY 2009 report from the Medical Center.

69 22 Notwithstanding section 8.39, subsection 1, without the  
 69 23 prior written consent and approval of the governor and the  
 69 24 director of the department of management, the director of  
 69 25 human services may transfer funds among the appropriations  
 69 26 made in this section as necessary to carry out the purposes of  
 69 27 the account for health care transformation. The department  
 69 28 shall report any transfers made pursuant to this section to  
 69 29 the legislative services agency.

CODE: Permits the DHS to transfer funds to carry out activities in this Section without the approval of the Governor or the Director of the Department of Management, but requires the DHS to report any transfers to the Legislative Services Agency.

69 30 Sec. 46. TRANSFER FROM ACCOUNT FOR HEALTH CARE  
 69 31 TRANSFORMATION. There is transferred from the account for  
 69 32 health care transformation created pursuant to section 249J.23  
 69 33 to the IowaCare account created in section 249J.24 a total of  
 69 34 \$3,000,000 for the fiscal year beginning July 1, 2008, and  
 69 35 ending June 30, 2009.

Transfer of \$3,000,000 from the HCTA to the IowaCare account.

DETAIL: This transfer makes up part of the \$37,000,000 appropriation to Broadlawns Medical Center. This is a decrease of \$2,000,000 compared to the FY 2008 transfer.

70 1 Sec. 47. IOWACARE PLAN REPORT. The department of human  
 70 2 services, in cooperation with the members of the expansion  
 70 3 population provider network as specified in chapter 249J and  
 70 4 other interested parties, shall review the current IowaCare  
 70 5 program and shall develop a plan for continuation, expansion,  
 70 6 or elimination of the IowaCare program beyond June 30, 2010.

Requires the Department of Human Services with UIHC and Broadlawns to review the IowaCare Program and develop a plan for continuation, expansion, or elimination beyond June 30, 2010. The Department is required to submit a report to the Medical Assistance Projections and Assessment Council by December 15, 2008.

70 7 The plan shall address the issue of establishing a procedure  
 70 8 to either transfer an expansion population member who seeks  
 70 9 medical care or treatment for a covered service from a  
 70 10 nonparticipating provider to a participating provider in the  
 70 11 expansion population provider network, or to compensate the  
 70 12 nonparticipating provider for medical care or treatment for a  
 70 13 covered service provided to an expansion population member, if  
 70 14 transfer is not medically possible or if the transfer is  
 70 15 refused and if no other third party is liable for  
 70 16 reimbursement for the services provided. The review shall  
 70 17 also address the issue of the future of the IowaCare program  
 70 18 beyond June 30, 2010, including but not limited to expansion  
 70 19 of the provider network beyond the initial network, expansion  
 70 20 population member growth projections, member benefits,  
 70 21 alternatives for providing health care coverage to the  
 70 22 expansion population, and other issues pertinent to the  
 70 23 continuation, expansion, or elimination of the program. The  
 70 24 department shall report its findings and recommendations to  
 70 25 the medical assistance projections and assessment council no  
 70 26 later than December 15, 2008.

70 27 Sec. 48. PROPERTY TAX RELIEF FUND. There is appropriated  
 70 28 from the property tax relief fund created in section 426B.1 to  
 70 29 the department of human services for the fiscal year beginning  
 70 30 July 1, 2008, and ending June 30, 2009, the following amount,  
 70 31 or so much thereof as is necessary, to be used for the  
 70 32 purposes designated:

70 33 For the medical assistance program in addition to the  
 70 34 appropriation made in section 426B.1, subsection 3, and other  
 70 35 appropriations made for purposes of the program:

71 1 ..... \$ 624,000

71 2 The appropriation made in this section consists of the  
 71 3 revenues credited to the property tax relief fund pursuant to  
 71 4 sections 437A.8 and 437A.15 after November 1, 2007, and before  
 71 5 April 1, 2008.

Appropriation from the Property Tax Relief Fund to the Medical Assistance Program.

DETAIL: This is one-time funding for FY 2009.

71 6 Sec. 49. Section 426B.2, subsection 3, Code 2007, is

CODE: Changes the date that funds collected are to be distributed to

71 7 amended to read as follows:	allow payments made in a fiscal year to be distributed the following
71 8 3. <u>a.</u> The director of human services shall draw warrants	fiscal year.
71 9 on the property tax relief fund, payable to the county	
71 10 treasurer in the amount due to a county in accordance with	
71 11 subsection 1 and mail the warrants to the county auditors in	
71 12 July and January of each year.	
71 13 <u>b.</u> Any replacement generation tax in the property tax	
71 14 relief fund as of <del>November</del> <u>May</u> 1 shall be paid to the county	
71 15 treasurers in July and January of the fiscal year beginning	
71 16 the following July 1. <u>The department of management shall</u>	
71 17 <u>determine the amount each county will be paid pursuant to this</u>	
71 18 <u>lettered paragraph for the following fiscal year. The</u>	
71 19 <u>department shall reduce by the determined amount the amount of</u>	
71 20 <u>each county's certified budget to be raised by property tax</u>	
71 21 <u>for that fiscal year which is to be expended for mental</u>	
71 22 <u>health, mental retardation, and developmental disabilities</u>	
71 23 <u>services and shall revise the rate of taxation as necessary to</u>	
71 24 <u>raise the reduced amount. The department of management shall</u>	
71 25 <u>report the reduction in the certified budget and the revised</u>	
71 26 <u>rate of taxation to the county auditors by June 15.</u>	
71 27 Sec. 50. MEDICAL ASSISTANCE PROGRAM == REVERSION TO SENIOR	CODE: Requires nonreversion of the FY 2009 Medical Assistance
71 28 LIVING TRUST FUND FOR FY 2008=2009. Notwithstanding section	Program supplemental appropriation and transfer of remaining funds
71 29 8.33, if moneys appropriated for purposes of the medical	to the Senior Living Trust Fund.
71 30 assistance program for the fiscal year beginning July 1, 2008,	
71 31 and ending June 30, 2009, from the general fund of the state,	
71 32 the senior living trust fund, the healthy lowans tobacco trust	
71 33 fund, the health care trust fund, and the property tax relief	
71 34 fund are in excess of actual expenditures for the medical	
71 35 assistance program and remain unencumbered or unobligated at	
72 1 the close of the fiscal year, the excess moneys shall not	
72 2 revert but shall be transferred to the senior living trust	
72 3 fund created in section 249H.4.	
72 4 DIVISION III	
72 5 MH/MR/DD/BI SERVICES	

72 6 ALLOWED GROWTH FUNDING ==

72 7 FY 2008=2009

72 8 Sec. 51. Section 225C.5, subsection 1, Code 2007, is  
72 9 amended by adding the following new paragraph:  
72 10 NEW PARAGRAPH . ii. One member shall be an active board  
72 11 member of an agency serving persons with a substance abuse  
72 12 problem selected from nominees submitted by the Iowa  
72 13 behavioral health association.

CODE: Requires one member of the Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission to be an agency serving persons with substance abuse problems submitted by the Iowa Behavioral Health Association.

72 14 Sec. 52. NEW SECTION . 225C.19 EMERGENCY MENTAL HEALTH  
72 15 CRISIS SERVICES SYSTEM.

CODE: Establishes an Emergency Mental Health Crisis Services System.

72 16 1. For the purposes of this section:

72 17 a. "Emergency mental health crisis services provider"  
72 18 means a provider accredited or approved by the department to  
72 19 provide emergency mental health crisis services.

72 20 b. "Emergency mental health crisis services system" or  
72 21 "services system" means a coordinated array of crisis services  
72 22 for providing a response to assist an individual adult or  
72 23 child who is experiencing a mental health crisis or who is in  
72 24 a situation that is reasonably likely to cause the individual  
72 25 to have a mental health crisis unless assistance is provided.

72 26 2. a. The division shall implement an emergency mental  
72 27 health crises services system in consultation with counties,  
72 28 and community mental health centers and other mental health  
72 29 and social service providers, in accordance with this section.

72 30 b. The purpose of the services system is to provide a  
72 31 statewide array of time=limited intervention services to  
72 32 reduce escalation of crisis situations, relieve the immediate  
72 33 distress of individuals experiencing a crisis situation,  
72 34 reduce the risk of individuals in a crisis situation doing  
72 35 harm to themselves or others, and promote timely access to  
73 1 appropriate services for those who require ongoing mental  
73 2 health services.

73 3 c. The services system shall be available twenty=four  
73 4 hours per day, seven days per week to any individual who is

DETAIL: Defines and describes the services to be provided by the Emergency Mental Health Crisis Services System. Requires that the initial implementation take place by a competitive block grant process. Limits funding for the implementation to the appropriation for the System.

73 5 determined by self or others to be in a crisis situation,  
73 6 regardless of whether the individual has been diagnosed with a  
73 7 mental illness or a co=occurring mental illness and substance  
73 8 abuse disorder, and shall address all ages, income levels, and  
73 9 health coverage statuses.

73 10 d. The goals of an intervention offered by a provider  
73 11 under the services system shall include but are not limited to  
73 12 symptom reduction, stabilization of the individual receiving  
73 13 the intervention, and restoration of the individual to a  
73 14 previous level of functioning.

73 15 e. The elements of the services system shall be specified  
73 16 in administrative rules adopted by the commission.

73 17 3. The services system elements shall include but are not  
73 18 limited to all of the following:

73 19 a. Standards for accrediting or approving emergency mental  
73 20 health crisis services providers. Such providers may include  
73 21 but are not limited to a community mental health center, a  
73 22 provider approved in a waiver adopted by the commission to  
73 23 provide services to a county in lieu of a community mental  
73 24 health center, a unit of the department or other state agency,  
73 25 a county, or any other public or private provider who meets  
73 26 the accreditation or approval standards for an emergency  
73 27 mental health crisis services provider.

73 28 b. Identification by the division of geographic regions,  
73 29 service areas, or other means of distributing and organizing  
73 30 the emergency mental health crisis services system to ensure  
73 31 statewide availability of the services.

73 32 c. Coordination of emergency mental health crisis services  
73 33 with all of the following:

73 34 (1) The district and juvenile courts.

73 35 (2) Law enforcement.

74 1 (3) Judicial district departments of correctional  
74 2 services.

74 3 (4) County central point of coordination processes.

74 4 (5) Other mental health, substance abuse, and co=occurring  
74 5 mental illness and substance abuse services available through  
74 6 the state and counties to serve both children and adults.

74 7 d. Identification of basic services to be provided through



74 8 each accredited or approved emergency mental health crisis  
74 9 services provider which may include but are not limited to  
74 10 face-to-face crisis intervention, stabilization, support,  
74 11 counseling, preadmission screening for individuals who may  
74 12 require psychiatric hospitalization, transportation, and  
74 13 follow-up services.  
74 14 e. Identification of operational requirements for  
74 15 emergency mental health crisis services provider accreditation  
74 16 or approval which may include providing a telephone hotline,  
74 17 mobile crisis staff, collaboration protocols, follow-up with  
74 18 community services, information systems, and competency-based  
74 19 training.  
74 20 4. The division shall initially implement the program  
74 21 through a competitive block grant process. The implementation  
74 22 shall be limited to the extent of the appropriations provided  
74 23 for the program.

74 24 Sec. 53. NEW SECTION . 225C.51 DEFINITIONS.  
74 25 For the purposes of this division:  
74 26 1. "Child" or "children" means a person or persons under  
74 27 eighteen years of age.  
74 28 2. "Children's system" or "mental health services system  
74 29 for children and youth" means the mental health services  
74 30 system for children and youth implemented pursuant to this  
74 31 division.  
74 32 3. "Functional impairment" means difficulties that  
74 33 substantially interfere with or limit a person from achieving  
74 34 or maintaining one or more developmentally appropriate social,  
74 35 behavioral, cognitive, communicative, or adaptive skills and  
75 1 that substantially interfere with or limit the person's role  
75 2 or functioning in family, school, or community activities.  
75 3 "Functional impairment" includes difficulties of episodic,  
75 4 recurrent, and continuous duration. "Functional impairment"  
75 5 does not include difficulties resulting from temporary and  
75 6 expected responses to stressful events in a person's  
75 7 environment.  
75 8 4. "Other qualifying mental health disorder" means a

CODE: Provides definitions for the Mental Health Crisis Services  
System for Children and Youth.

75 9 mental health crisis or any diagnosable mental health disorder  
75 10 that is likely to lead to mental health crisis unless there is  
75 11 an intervention.  
75 12 5. "Serious emotional disturbance" means a diagnosable  
75 13 mental, behavioral, or emotional disorder of sufficient  
75 14 duration to meet diagnostic criteria specified within the most  
75 15 current diagnostic and statistical manual of mental disorders  
75 16 published by the American psychiatric association that results  
75 17 in a functional impairment. "Serious emotional disturbance"  
75 18 does not include substance use and developmental disorders  
75 19 unless such disorders co=occur with such a diagnosable mental,  
75 20 behavioral, or emotional disorder.  
75 21 6. "Youth" means a person eighteen years of age or older  
75 22 but under twenty=two years of age who met the criteria for  
75 23 having a serious emotional disturbance prior to the age of  
75 24 eighteen.

75 25 Sec. 54. NEW SECTION . 225C.52 MENTAL HEALTH SERVICES  
75 26 SYSTEM FOR CHILDREN AND YOUTH == PURPOSE.  
75 27 1. Establishing a comprehensive community=based mental  
75 28 health services system for children and youth is part of  
75 29 fulfilling the requirements of the division and the commission  
75 30 to facilitate a comprehensive, continuous, and integrated  
75 31 state mental health services plan in accordance with sections  
75 32 225C.4, 225C.6, and 225C.6A, and other provisions of this  
75 33 chapter. The purpose of establishing the children's system is  
75 34 to improve access for children and youth with serious  
75 35 emotional disturbances and youth with other qualifying mental  
76 1 health disorders to mental health treatment, services, and  
76 2 other support in the least restrictive setting possible so the  
76 3 children and youth can live with their families and remain in  
76 4 their communities. The children's system is also intended to  
76 5 meet the needs of children and youth who have mental health  
76 6 disorders that co=occur with substance abuse, mental  
76 7 retardation, developmental disabilities, or other  
76 8 disabilities. The children's system shall emphasize  
76 9 community=level collaborative efforts between children and

CODE: Provides the DHS implementation provisions for the Children and Youth Mental Health Services System beginning in FY 2009. Requires a competitive bidding process for State block grants and limits funding to the funds provided. Requires the DHS to review available federal funding. Provides criteria for the initial block grants. Requires regular reports to the General Assembly and the Governor.

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76 10 youth and the families and the state's systems of education,  
76 11 child welfare, juvenile justice, health care, substance abuse,  
76 12 and mental health.

76 13 2. The goals and outcomes desired for the children's  
76 14 system shall include but are not limited to all of the  
76 15 following:

76 16 a. Identifying the mental health needs of children and  
76 17 youth.

76 18 b. Performing comprehensive assessments of children and  
76 19 youth that are designed to identify functional skills,  
76 20 strengths, and services needed.

76 21 c. Providing timely access to available treatment,  
76 22 services, and other support.

76 23 d. Offering information and referral services to families  
76 24 to address service needs other than mental health.

76 25 e. Improving access to needed mental health services by  
76 26 allowing children and youth to be served with their families  
76 27 in the community.

76 28 f. Preventing or reducing utilization of more costly,  
76 29 restrictive care by reducing the unnecessary involvement of  
76 30 children and youth who have mental health needs and their  
76 31 families with law enforcement, the corrections system, and  
76 32 detention, juvenile justice, and other legal proceedings;  
76 33 reducing the involvement of children and youth with child  
76 34 welfare services or state custody; and reducing the placement  
76 35 of children and youth in the state juvenile institutions,  
77 1 state mental health institutes, or other public or private  
77 2 residential psychiatric facilities.

77 3 g. Increasing the number of children and youth assessed  
77 4 for functional skill levels.

77 5 h. Increasing the capacity to develop individualized,  
77 6 strengths-based, and integrated treatment plans for children,  
77 7 youth, and families.

77 8 i. Promoting communications with caregivers and others  
77 9 about the needs of children, youth, and families engaged in  
77 10 the children's system.

77 11 j. Developing the ability to aggregate data and  
77 12 information, and to evaluate program, service, and system

77 13 efficacy for children, youth, and families being served on a  
77 14 local and statewide basis.  
77 15 k. Implementing and utilizing outcome measures that are  
77 16 consistent with but not limited to the national outcomes  
77 17 measures identified by the substance abuse and mental health  
77 18 services administration of the United States department of  
77 19 health and human services.  
77 20 l. Identifying children and youth whose mental health or  
77 21 emotional condition, whether chronic or acute, represents a  
77 22 danger to themselves, their families, school students or  
77 23 staff, or the community.

77 24 Sec. 55. NEW SECTION . 225C.53 ROLE OF DEPARTMENT AND  
77 25 DIVISION == TRANSITION TO ADULT SYSTEM.

77 26 1. The department is the lead agency responsible for the  
77 27 development, implementation, oversight, and management of the  
77 28 mental health services system for children and youth in  
77 29 accordance with this chapter. The department's  
77 30 responsibilities shall be fulfilled by the division.

77 31 2. The division's responsibilities relating to the  
77 32 children's system include but are not limited to all of the  
77 33 following:

77 34 a. Ensuring that the rules adopted for the children's  
77 35 system provide that, within the limits of appropriations for  
78 1 the children's system, children and youth shall not be  
78 2 inappropriately denied necessary mental health services.

78 3 b. Establishing standards for the provision of home and  
78 4 community-based mental health treatment, services, and other  
78 5 support under the children's system.

78 6 c. Identifying and implementing eligibility criteria for  
78 7 the treatment, services, and other support available under the  
78 8 children's system.

78 9 d. Ongoing implementation of recommendations identified  
78 10 through children's system improvement efforts.

78 11 3. An adult person who met the criteria for having a  
78 12 serious emotional disturbance prior to the age of eighteen may  
78 13 qualify to continue services through the adult mental health

CODE: Provides the DHS implementation provisions for the Children and Youth Mental Health Services System beginning in FY 2009. Requires a competitive bidding process for State block grants and limits funding to the funds provided. Requires the DHS to review available federal funding. Provides criteria for the initial block grants. Requires regular reports to the General Assembly and the Governor.

78 14 system.

78 15 Sec. 56. NEW SECTION . 225C.54 MENTAL HEALTH SERVICES  
78 16 SYSTEM FOR CHILDREN AND YOUTH == INITIAL IMPLEMENTATION.

78 17 1. The mental health services system for children and  
78 18 youth shall be initially implemented by the division  
78 19 commencing with the fiscal year beginning July 1, 2008. The  
78 20 division shall begin implementation by utilizing a competitive  
78 21 bidding process to allocate state block grants to develop  
78 22 services through existing community mental health centers,  
78 23 providers approved in a waiver adopted by the commission to  
78 24 provide services to a county in lieu of a community mental  
78 25 health center, and other local service partners. The  
78 26 implementation shall be limited to the extent of the  
78 27 appropriations provided for the children's system.

78 28 2. In order to maximize federal financial participation in  
78 29 the children's system, the division and the department's  
78 30 Medicaid program staff shall analyze the feasibility of  
78 31 leveraging existing Medicaid options, such as expanding the  
78 32 home and community-based services waiver for children's mental  
78 33 health services, reviewing the feasibility of implementing  
78 34 other Medicaid options such as the federal Tax Equity and  
78 35 Financial Responsibility Act of 1982 (TEFRA) option for  
79 1 children with severe mental illness or emotional disturbance  
79 2 and Medicaid administrative funding, and determining the need  
79 3 for service enhancements through revisions to the Medicaid  
79 4 state plan and the federal state children's health insurance  
79 5 program and the healthy and well kids in Iowa program.

79 6 3. Initial block grants shall support a wide range of  
79 7 children, youth, and family services and initiatives including  
79 8 but not limited to school-based mental health projects, system  
79 9 reviews providing service gap analysis, status studies of the  
79 10 mental health needs of children and youth in representative  
79 11 areas of the state, and mental health assessment capacity  
79 12 development based in public and nonpublic schools and clinical  
79 13 settings using standard functional assessment tools. The  
79 14 purpose of developing the assessment capacity is to determine

CODE: Provides the DHS implementation provisions for the Children and Youth Mental Health Services System beginning in FY 2009. Requires a competitive bidding process for State block grants and limits funding to the funds provided. Requires the DHS to review available federal funding. Provides criteria for the initial block grants. Requires regular reports to the General Assembly and the Governor.

79 15 childrens' and youths' degree of impairment in daily  
79 16 functioning due to emotional, behavioral, psychological,  
79 17 psychiatric, or substance use problems.  
79 18 4. The initial block grants may also support an array of  
79 19 programs and services including but not limited to mobile  
79 20 crisis intervention services, or other support intended to  
79 21 prevent more intensive or in-patient interventions, skills  
79 22 training, intensive care coordination, and  
79 23 cognitive-behavioral and multisystemic family therapy. In  
79 24 addition, support may be provided for prevention-oriented  
79 25 services including mental health consultations regarding home  
79 26 visits, child welfare, juvenile justice, and maternal and  
79 27 child health services, and consultation for preschool  
79 28 programs.  
79 29 5. The division shall report regularly to the commission,  
79 30 general assembly, and governor concerning the implementation  
79 31 status of the children's system, including but not limited to  
79 32 an annual report submitted each January. The report may  
79 33 address funding requirements and statutory amendments  
79 34 necessary to further develop the children's system.

79 35 Sec. 57. Section 331.439, subsection 1, paragraph a, Code  
80 1 Supplement 2007, is amended to read as follows:  
80 2 a. The county accurately reported by December 1 the  
80 3 county's expenditures for mental health, mental retardation,  
80 4 and developmental disabilities services and the information  
80 5 required under section 225C.6A, subsection 2, paragraph "c",  
80 6 for the previous fiscal year on forms prescribed by rules  
80 7 adopted by the state commission. If the department determines  
80 8 good cause exists, the department may extend a deadline  
80 9 otherwise imposed under this chapter, chapter 225C, or chapter  
80 10 426B for a county's reporting concerning mental health, mental  
80 11 retardation, or developmental disabilities services or related  
80 12 revenues and expenditures.

CODE: Permits the Department to extend the filing date for mental health county expenditures if the Department determines there is good cause.

80 13 Sec. 58. 2007 Iowa Acts, chapter 215, section 1, is

80 14 amended to read as follows:

80 15 SECTION 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION,  
80 16 DEVELOPMENTAL DISABILITIES, AND BRAIN INJURY ALLOWED GROWTH  
80 17 APPROPRIATION AND ALLOCATIONS == FISCAL YEAR 2008=2009.

80 18 1. There is appropriated from the general fund of the  
80 19 state to the department of human services for the fiscal year  
80 20 beginning July 1, 2008, and ending June 30, 2009, the  
80 21 following amount, or so much thereof as is necessary, to be  
80 22 used for the purpose designated:

80 23 For distribution to counties of the county mental health,  
80 24 mental retardation, and developmental disabilities allowed  
80 25 growth factor adjustment for fiscal year 2008=2009, and for  
80 26 the brain injury services program in the department of public  
80 27 health:

80 28 ..... \$ 64,600,002

80 29 54,081,310

80 30 ~~2. The amount appropriated in this section shall be~~  
80 31 ~~allocated as provided in a later enactment of the general~~  
80 32 ~~assembly.~~

80 33 2. There is appropriated from the property tax relief fund  
80 34 to the department of human services for the fiscal year  
80 35 beginning July 1, 2008, and ending June 30, 2009, the  
81 1 following amount, or so much thereof as is necessary, to be  
81 2 used for the purposes designated:

81 3 For distribution to counties of the county mental health,  
81 4 mental retardation, and developmental disabilities allowed  
81 5 growth factor adjustment, as provided in this section in lieu  
81 6 of the provisions of section 331.438, subsection 2, and  
81 7 section 331.439, subsection 3, and chapter 426B:  
81 8 ..... \$ 7,592,099

81 9 Sec. 59. 2007 Iowa Acts, chapter 215, section 1, as  
81 10 amended by this division of this Act, is amended by adding the

CODE: Updates the FY 2009 original Mental Health Allowed Growth appropriation to reflect the portion funded from the Health Care Trust Fund and the transfer of the Brain Injury Waiver to Medicaid.

DETAIL: This includes:

- An increase of \$8,119,862 compared to the FY 2008 appropriation for counties.
- A decrease of \$7,592,099 to reflect the portion funded in FY 2009 from the Health Care Trust Fund.
- A decrease of \$2,926,593 for the transfer in FY 2009 of funding for the brain injury waiver cost to the DHS Medicaid Program.

The FY 2008 appropriation of \$12,000,000 is included in this FY 2009 appropriation.

CODE: Adds a Property Tax Relief Fund appropriation to the Mental Health FY 2009 Allowed Growth.

DETAIL: This is an appropriation from the Health Care Trust Fund, transferred through the Property Tax Relief Fund. Maintains the current level of Health Care Trust Fund support.

CODE: Requires counties eligible for the \$12,000,000 of the Mental Health Allowed Growth funding to comply with the following:

81 11 following new subsections:

81 12 NEW SUBSECTION . 3. Of the amount appropriated in  
81 13 subsection 1, \$12,000,000 shall be distributed as provided in  
81 14 this subsection.

81 15 a. To be eligible to receive a distribution under this  
81 16 subsection, a county must meet the following requirements:  
81 17 (1) The county is levying for the maximum amount allowed  
81 18 for the county's mental health, mental retardation, and  
81 19 developmental disabilities services fund under section  
81 20 331.424A for taxes due and payable in the fiscal year  
81 21 beginning July 1, 2008, or the county is levying for at least  
81 22 90 percent of the maximum amount allowed for the county's  
81 23 services fund and that levy rate is more than \$2 per \$1,000 of  
81 24 the assessed value of all taxable property in the county.

81 25 (2) In the fiscal year beginning July 1, 2007, the  
81 26 county's mental health, mental retardation, and developmental  
81 27 disabilities services fund ending balance under generally  
81 28 accepted accounting principles was equal to or less than 15  
81 29 percent of the county's actual gross expenditures for that  
81 30 fiscal year.

81 31 b. A county's allocation of the amount appropriated in  
81 32 this subsection shall be determined based upon the county's  
81 33 proportion of the general population of the counties eligible  
81 34 to receive an allocation under this subsection. The most  
81 35 recent population estimates issued by the United States bureau  
82 1 of the census shall be applied in determining population for  
82 2 the purposes of this paragraph.

82 3 c. The allocations made pursuant to this subsection are  
82 4 subject to the distribution provisions and withholding  
82 5 requirements established in this section for the county mental  
82 6 health, mental retardation, and developmental disabilities  
82 7 allowed growth factor adjustment for the fiscal year beginning  
82 8 July 1, 2008.

82 9 NEW SUBSECTION . 4. The funding appropriated in this  
82 10 section is the allowed growth factor adjustment for fiscal  
82 11 year 2008=2009, and shall be credited to the allowed growth

- Levy at least 90.00% of the maximum levy.
- Levy at least \$2.00 per \$1,000 of the taxable assessed property value.
- Maintain a Mental Health Services Fund balance for FY 2007 of 15.00% or less.

CODE: Sets the expenditure target allocation to the allowed growth funding pool for FY 2009.



82 12 funding pool created in the property tax relief fund and for  
 82 13 distribution in accordance with section 426B.5, subsection 1:  
 82 14 ..... \$ 49,673,409

82 15 NEW SUBSECTION . 5. The following formula amounts shall be  
 82 16 utilized only to calculate preliminary distribution amounts  
 82 17 for fiscal year 2008=2009 under this section by applying the  
 82 18 indicated formula provisions to the formula amounts and  
 82 19 producing a preliminary distribution total for each county:  
 82 20 a. For calculation of a distribution amount for eligible  
 82 21 counties from the allowed growth funding pool created in the  
 82 22 property tax relief fund in accordance with the requirements  
 82 23 in section 426B.5, subsection 1:

82 24 ..... \$ 57,337,985

82 25 b. For calculation of a distribution amount for counties  
 82 26 from the mental health and developmental disabilities (MH/DD)  
 82 27 community services fund in accordance with the formula  
 82 28 provided in the appropriation made for the MH/DD community  
 82 29 services fund for the fiscal year beginning July 1, 2008:  
 82 30 ..... \$ 17,727,890

82 31 NEW SUBSECTION . 6. After applying the applicable  
 82 32 statutory distribution formulas to the amounts indicated in  
 82 33 subsection 5 for purposes of producing preliminary  
 82 34 distribution totals, the department of human services shall  
 82 35 apply a withholding factor to adjust an eligible individual  
 83 1 county's preliminary distribution total. In order to be  
 83 2 eligible for a distribution under this section, a county must  
 83 3 be levying seventy percent or more of the maximum amount  
 83 4 allowed for the county's mental health, mental retardation,  
 83 5 and developmental disabilities services fund under section  
 83 6 331.424A for taxes due and payable in the fiscal year for  
 83 7 which the distribution is payable. An ending balance  
 83 8 percentage for each county shall be determined by expressing  
 83 9 the county's ending balance on a modified accrual basis under  
 83 10 generally accepted accounting principles for the fiscal year  
 83 11 beginning July 1, 2007, in the county's mental health, mental  
 83 12 retardation, and developmental disabilities services fund

CODE: Provides the annual distribution of the FY 2009 Mental Health Allowed Growth appropriation. Reflects appropriations from multiple sources with the single distribution. Requires \$57,337,985 to be distributed to counties that levy at least 70.00% for the MH/MR/DD Services Fund and have limited Fund balances. Fund balances for the distribution formula are those from FY 2008. Those counties that have an ending Fund balance of between 10.00% and 25.00% will experience a reduction of \$7,664,576 as a withholding target.

83 13 created under section 331.424A, as a percentage of the  
83 14 county's gross expenditures from that fund for that fiscal  
83 15 year. If a county borrowed moneys for purposes of providing  
83 16 services from the county's services fund on or before July 1,  
83 17 2007, and the county's services fund ending balance for that  
83 18 fiscal year includes the loan proceeds or an amount designated  
83 19 in the county budget to service the loan for the borrowed  
83 20 moneys, those amounts shall not be considered to be part of  
83 21 the county's ending balance for purposes of calculating an  
83 22 ending balance percentage under this subsection. The  
83 23 withholding factor for a county shall be the following  
83 24 applicable percent:

83 25     a. For an ending balance percentage of less than 5  
83 26 percent, a withholding factor of 0 percent. In addition, a  
83 27 county that is subject to this lettered paragraph shall  
83 28 receive an inflation adjustment equal to 3 percent of the  
83 29 gross expenditures reported for the county's services fund for  
83 30 the fiscal year.

83 31     b. For an ending balance percentage of 5 percent or more  
83 32 but less than 10 percent, a withholding factor of 0 percent.  
83 33 In addition, a county that is subject to this lettered  
83 34 paragraph shall receive an inflation adjustment equal to 2  
83 35 percent of the gross expenditures reported for the county's  
84 1 services fund for the fiscal year.

84 2     c. For an ending balance percentage of 10 percent or more  
84 3 but less than 25 percent, a withholding factor of 25 percent.  
84 4 However, for counties with an ending balance percentage of 10  
84 5 percent or more but less than 15 percent, the amount withheld  
84 6 shall be limited to the amount by which the county's ending  
84 7 balance was in excess of the ending balance percentage of 10  
84 8 percent.

84 9     d. For an ending balance percentage of 25 percent or more,  
84 10 a withholding percentage of 100 percent.

84 11     NEW SUBSECTION . 7. The total withholding amounts applied  
84 12 pursuant to subsection 6 shall be equal to a withholding  
84 13 target amount of \$7,664,576. If the department of human  
84 14 services determines that the amount to be withheld in  
84 15 accordance with subsection 6 is not equal to the target

84 16 withholding amount, the department shall adjust the  
84 17 withholding factors listed in subsection 6 as necessary to  
84 18 achieve the target withholding amount. However, in making  
84 19 such adjustments to the withholding factors, the department  
84 20 shall strive to minimize changes to the withholding factors  
84 21 for those ending balance percentage ranges that are lower than  
84 22 others and shall not adjust the zero withholding factor or the  
84 23 inflation adjustment percentage specified in subsection 6,  
84 24 paragraph "a".

84 25 NEW SUBSECTION . 8. It is the intent of the general  
84 26 assembly that for distribution of the moneys addressed in this  
84 27 section to counties for the fiscal year beginning July 1,  
84 28 2009, any factor utilizing services fund ending balances will  
84 29 be based upon the fiscal year beginning July 1, 2007, and a  
84 30 levy rate will be required for the fiscal year beginning July  
84 31 1, 2009, that is at least 90 percent of the maximum allowed  
84 32 for the county's mental health, mental retardation, and  
84 33 developmental disabilities services fund under section  
84 34 331.424A.

CODE: Specifies that for FY 2010, Mental Health Allowed Growth funding distribution is to be based on FY 2008 County Mental Health Fund Balances. Specifies it is the intent of the General Assembly that counties levy at least 90.00% of the maximum allowed to receive allowed growth funding.

84 35 NEW SUBSECTION . 9. a. The department of human services  
85 1 may implement a pilot project for a regional service network  
85 2 established for mental health, mental retardation, and  
85 3 developmental disabilities services paid from the services  
85 4 funds under section 331.424A. The initial term of the pilot  
85 5 project is limited to the two=year period beginning July 1,  
85 6 2008, and ending June 30, 2010.  
85 7 b. Under the pilot project, the department may enter into  
85 8 an agreement with the counties participating in the pilot  
85 9 project to administer a risk=based contract for the mental  
85 10 health, mental retardation, and developmental disabilities  
85 11 services provided by the participating counties. The pilot  
85 12 project provisions may include but are not limited to all of  
85 13 the following:  
85 14 (1) Pooling of the participating counties services fund

CODE: Specifies the Department may implement a regional pilot project to improve services and efficiency for recipients of Mental Health, Mental Retardation, and Developmental Disabilities services. The pilot counties are to provide periodic updates to the DHS, Governor, and the General Assembly.

85 15 moneys.  
85 16 (2) Pooling of waiver slots for the participating  
85 17 counties.  
85 18 (3) To the extent allowed under federal requirements,  
85 19 decategorizing the funding streams for mental health, mental  
85 20 retardation, and developmental disabilities available to the  
85 21 counties participating in the pilot project.  
85 22 (4) If the department implements a new program,  
85 23 initiative, or service addressing the needs of the populations  
85 24 receiving services paid for by a county services fund,  
85 25 adapting any associated requirements to optimize  
85 26 implementation within the pilot project counties.  
85 27 c. For purposes of qualifying for the allowed growth and  
85 28 MH/DD community services fund moneys distributed under this  
85 29 section, the minimum levy and services fund ending balances of  
85 30 the counties participating in the pilot project may be  
85 31 combined and an average utilized to qualify for the moneys.  
85 32 d. For the allowed growth and MH/DD community services  
85 33 fund moneys distributed for the fiscal year beginning July 1,  
85 34 2009, provided the counties participating in the pilot project  
85 35 do not reduce levies below the required percentages, the  
86 1 combined percentage of those moneys of such counties shall not  
86 2 be less than the combined percentage of such moneys in the  
86 3 preceding fiscal year.  
86 4 e. A county's participation in the pilot project and the  
86 5 provisions of the pilot project must be agreed upon by the  
86 6 department and the board of supervisors of each of the  
86 7 counties participating in the pilot project.  
86 8 f. The department may specify a minimum population level  
86 9 and other prerequisites for the consortium of counties  
86 10 participating in the pilot project.  
86 11 g. The pilot project counties shall provide periodic  
86 12 performance and evaluation information to the department,  
86 13 governor, and general assembly.

86 14 Sec. 60. COUNTY=STATE SHARED FUNDING FOR MENTAL HEALTH AND  
86 15 DISABILITY SERVICES COVERED BY THE MEDICAID PROGRAM.

Requests the Legislative Council to authorize an interim task force to review Mental Health Funding for services covered by the Medicaid

86 16 1. The legislative council is requested to authorize for  
86 17 the 2008 legislative interim a task force to consider  
86 18 county=state shared funding for mental health and disability  
86 19 services covered by the Medicaid program. The membership of  
86 20 the task force should include five legislators from each  
86 21 chamber, one member of the mental health, mental retardation,  
86 22 developmental disabilities, and brain injury (MH/MR/DD/BI)  
86 23 commission; three members of county boards of supervisors,  
86 24 with one each from a large, medium, and small population  
86 25 county; three staff members from the county central point of  
86 26 coordination (CPC) office, with one each from a large, medium,  
86 27 and small population county; two individuals representing  
86 28 advocacy organizations, one of which shall be the governor's  
86 29 developmental disabilities council; one current consumer of  
86 30 county MH/MR/DD services; and one MH/MR/DD/BI service provider  
86 31 representative from each of the state's five congressional  
86 32 districts. The task force shall utilize a facilitator to  
86 33 assist the process.

86 34 2. The task force should be charged to review and estimate  
86 35 the shared impact for the state and for Iowa counties if  
87 1 financial responsibility for the nonfederal share of the costs  
87 2 of mental health and disability services covered under the  
87 3 Medicaid program is shifted from counties to the state. The  
87 4 task force should be charged to develop an eight=year  
87 5 transition plan that reflects the shared responsibility of  
87 6 costs and service delivery resulting from the shift in  
87 7 responsibilities. It is the intent of the general assembly  
87 8 that the task force will be formed by June 15, 2008, and meet  
87 9 a minimum of four times in 2008.

87 10 3. In addition to legislative staff, representatives of  
87 11 the department of management, the Iowa state association of  
87 12 counties, the department of human services, association of  
87 13 community providers, and Iowa substance abuse program  
87 14 directors association shall comprise a team of resource  
87 15 experts to the task force.

87 16 4. The task force's final report for consideration by the  
87 17 2009 regular session of the general assembly and governor  
87 18 shall include findings and recommendations and a service

Program and to submit a final report to the General Assembly.

87 19 delivery and funding transition plan.

87 20 Sec. 61. COMMUNITY MENTAL HEALTH CENTER LAW UPDATE.

87 21 1. The division of mental health and disability services  
87 22 of the department of human services and the mental health,  
87 23 mental retardation, developmental disabilities, and brain  
87 24 injury commission, shall develop a proposal for updating and  
87 25 revising Code chapter 230A, relating to community mental  
87 26 health centers, and for revising the accreditation standards  
87 27 in rule that would result from the statutory revisions. An  
87 28 advisory committee shall be utilized in developing the  
87 29 proposal. In addition to interests represented on the  
87 30 commission, the advisory committee membership shall include  
87 31 but is not limited to representatives of the following: the  
87 32 child welfare advisory committee established pursuant to  
87 33 section 234.3, the coalition for family and children's  
87 34 services in Iowa, the Iowa chapter of the national association  
87 35 of social workers, the Iowa psychological society, and the  
88 1 Iowa psychiatric society.

88 2 2. The proposal content shall include but is not limited  
88 3 to addressing Code chapter 230A requirements in the following  
88 4 areas: establishment and support of community mental health  
88 5 centers, services offered, consumer and family involvement,  
88 6 capability to address co-occurring disorders, forms of  
88 7 organization, board of directors, organization meetings,  
88 8 duties and powers of directors, center organization as a  
88 9 nonprofit entity, annual budget, financial support of centers  
88 10 through federal and state block grants, comprehensive  
88 11 community mental health programs, target populations to be  
88 12 served, emergency mental health crisis services, quality  
88 13 improvement programs, use of evidence-based practices, use of  
88 14 functional assessments and outcomes measures, establishment of  
88 15 standards, and review and evaluation processes.

88 16 3. The proposal, accompanied by findings and  
88 17 recommendations, shall be submitted to the governor and  
88 18 general assembly on or before December 1, 2008. Until that  
88 19 report has been considered and acted upon by the general

Provides for a moratorium of designating entities as community mental health centers. Requires the DHS to appoint an Advisory Committee for revision of accreditation standards and updates in statutory provisions.

88 20 assembly, the division administrator may defer consideration  
 88 21 of requests for accreditation of a new community mental health  
 88 22 center or for approval of a provider to fill the role of a  
 88 23 community mental health center.

88 24 DIVISION IV  
 88 25 HEALTH CARE TRUST FUND APPROPRIATIONS ==  
 88 26 HEALTH CARE ACTIVITIES

88 27 Sec. 62. DEPARTMENT OF PUBLIC HEALTH. The allocations  
 88 28 made in this section may include amounts carried forward from  
 88 29 appropriations and allocations made for the same purposes in  
 88 30 the previous fiscal year. In addition to any other  
 88 31 appropriation made in this Act for the purposes designated,  
 88 32 there is appropriated from the health care trust fund created  
 88 33 in section 453A.35A to the department of public health for the  
 88 34 fiscal year beginning July 1, 2008, and ending June 30, 2009,  
 88 35 the following amounts, or so much thereof as is necessary, for  
 89 1 the purposes designated, and for not more than the following  
 89 2 full-time equivalent positions:

89 3 1. ADDICTIVE DISORDERS  
 89 4 ..... \$ 3,195,164  
 89 5 ..... FTEs 5.00

Health Care Trust Fund appropriation to the Addictive Disorders Program.

DETAIL: This is a net decrease of \$3,798,590 and an increase of 1.00 FTE position compared to the estimated FY 2008 appropriation. An additional \$3,082,149 is provided to the Addictive Disorders Program from the General Fund in Division I. The decrease from the Health Care Trust Fund (HCTF) includes:

- An increase of \$240,000 for substance abuse treatment.
- A decrease of \$34,000 for the one-time FY 2008 carryforward expected from the Cultural Competency funding.
- A decrease of \$613,000 by reducing gambling treatment advertising in the Gambling Treatment Fund appropriation and reallocating that to Addictive Disorders.

- A decrease of \$1,850,000 by reducing gambling treatment services in the Gambling Treatment Fund appropriation and reallocating that to Addictive Disorders.
- A decrease of \$525,000 available for Addictive Disorders in the Gambling Treatment Fund from one-time FY 2008 carryforward as a result of a Governor's veto.
- A decrease of \$140,590 for the expected FY 2008 carryforward from the Tobacco and Use Prevention allocation.
- A decrease of \$126,000 for a reduction in tobacco prevention advertising compared to the amount utilized in FY 2008.
- A decrease of \$750,000 to reflect the FY 2008 carryforward from the Tobacco and Use Prevention allocation.

89 6 a. Of the funds appropriated in this subsection, \$450,000  
 89 7 shall be used for culturally competent substance abuse  
 89 8 treatment pilot projects.

89 9 (1) The department shall utilize the amount allocated in  
 89 10 this lettered paragraph for at least three pilot projects to  
 89 11 provide culturally competent substance abuse treatment in  
 89 12 various areas of the state. Each pilot project shall target a  
 89 13 particular ethnic minority population. The populations  
 89 14 targeted shall include but are not limited to  
 89 15 African=American, Asian, and Latino.

89 16 (2) The pilot project requirements shall provide for  
 89 17 documentation or other means to ensure access to the cultural  
 89 18 competence approach used by a pilot project so that such  
 89 19 approach can be replicated and improved upon in successor  
 89 20 programs.

Allocates \$450,000 for implementation of three culturally competent substance abuse treatment pilot projects and specifies project requirements.

DETAIL: Maintains current level of funding for the allocation when the \$34,000 FY 2008 carryforward is included.

89 21 b. Of the funds appropriated in this subsection,  
 89 22 \$2,747,754 shall be used for tobacco use prevention,  
 89 23 cessation, and treatment. The department shall utilize the  
 89 24 funds to provide for a variety of activities related to  
 89 25 tobacco use prevention, cessation, and treatment including to  
 89 26 support Quitline Iowa, QuitNet cessation counseling and  
 89 27 education, grants to school districts and community  
 89 28 organizations to support Just Eliminate Lies youth chapters

Allocates \$2,747,754 for tobacco use prevention, cessation, and treatment, and specifies the activities to be funded.

DETAIL: This is a decrease of \$3,114,000 compared to the FY 2008 allocation. The total is a decrease of \$2,501,000 compared to the FY 2008 allocation for the reduction for advertising costs and decreased smoking cessation efforts. There is an expected FY 2008 carryforward of \$890,590 from contracts and from DPH staffing costs.



89 29 and youth tobacco prevention activities, the Just Eliminate  
 89 30 Lies tobacco prevention media campaign, nicotine replacement  
 89 31 therapy, and other prevention and cessation materials and  
 89 32 media promotion. Of the funds allocated in this lettered  
 89 33 paragraph, \$255,000 may be utilized by the department for  
 89 34 administrative purposes.

There is also an appropriation of \$5,928,265 in SF 2417 (Healthy  
 lowans Tobacco Trust) for this same purpose. There is also an  
 appropriation of \$1,000,000 in HF 2700 (FY 2009 Standings  
 Appropriations Bill) from the Healthy lowans Tobacco Trust Fund.

Permits \$255,000 for DPH administrative costs. This is no change  
 compared to FY 2008.

89 35 c. Of the funds appropriated in this subsection, \$922,000  
 90 1 shall be used for substance abuse treatment activities.

Allocates \$922,000 for substance abuse treatment.

DETAIL: This is an increase of \$240,000 compared to the FY 2008  
 allocation. There is \$560,000 of one-time FY 2008 funding provided  
 for substance abuse treatment in this Bill.

90 2 2. HEALTHY CHILDREN AND FAMILIES  
 90 3 ..... \$ 667,700  
 90 4 ..... FTEs 1.00

Health Care Trust Fund appropriation to the Healthy Children and  
 Families Program.

DETAIL: This is a decrease of \$19,800 and an increase of 0.50 FTE  
 position compared to the FY 2008 appropriation for one-time funding  
 available from the FY 2008 allocation for the Tissue Bank. An  
 additional \$2,636,913 is provided to the Healthy Children and Families  
 Program from the General Fund in Division I.

90 5 a. Of the funds appropriated in this subsection, \$200,000  
 90 6 shall be used to address the healthy mental development of  
 90 7 children from birth through five years of age through local  
 90 8 evidence-based strategies that engage both the public and  
 90 9 private sectors in promoting healthy development, prevention,  
 90 10 and treatment for children.

Allocates \$200,000 for the Assuring Better Child Health and  
 Development Program (ABCD II).

DETAIL: Maintains the current allocation level. An additional  
 \$325,000 is allocated from the General Fund for this purpose in  
 Division I.

90 11 b. Of the funds appropriated in this subsection, \$180,000  
 90 12 shall be used for childhood obesity prevention.

Allocates \$180,000 for childhood obesity prevention.

DETAIL: Maintains the current allocation level.

90 13 c. Of the funds appropriated in this subsection, \$39,000

Allocates \$39,000 for child dental screenings.

90 14 shall be used for the dental screening of children program  
 90 15 pursuant to 2007 Iowa Acts, chapter 146, section 1.

DETAIL: Maintains the current allocation level.

90 16 d. Of the funds appropriated in this subsection, \$10,000  
 90 17 shall be used for public health education and awareness of the  
 90 18 children's vision initiatives, including the InfantSee program  
 90 19 and the student vision program, administered through a  
 90 20 statewide association of optometric professionals for infants  
 90 21 and preschool children.

Allocates \$10,000 for public health education and awareness of children's vision initiatives.

DETAIL: Maintains the current allocation level.

90 22 e. Of the funds appropriated in this subsection, \$238,500  
 90 23 shall be used to provide audiological services and hearing  
 90 24 aids for children. The department may enter into a contract  
 90 25 to administer this paragraph.

Allocates \$238,500 for audiological services and hearing aids for children.

DETAIL: Maintains the current allocation level.

90 26 f. It is the intent of the general assembly that the  
 90 27 department of public health shall implement the  
 90 28 recommendations of the postnatal tissue and fluid bank task  
 90 29 force created in 2007 Iowa Acts, chapter 147, based upon the  
 90 30 report submitted to the general assembly in November 2007, as  
 90 31 funding becomes available. The department shall notify the  
 90 32 Iowa Code editor and the persons specified in this Act to  
 90 33 receive reports when such funding becomes available.

Specifies legislative intent that the DPH continue to implement the recommendations of the Postnatal Tissue and Fluid Bank Task Force.

DETAIL: With FY 2008 carryforward funding of \$19,800 and \$200 in the FY 2009 appropriation for this Section, a total of \$20,000 is available in FY 2009.

90 34 3. CHRONIC CONDITIONS  
 90 35 ..... \$ 1,164,181  
 91 1 ..... FTEs 1.00

Health Care Trust Fund appropriation to the Chronic Conditions Program.

DETAIL: This is a decrease of \$24,800 and no change in FTE positions compared to the FY 2008 appropriation. An additional \$2,242,840 is provided to the Chronic Conditions Program from the General Fund in Division I. The change from the HCTF includes:

- A decrease of \$10,000 for expected carryforward from the FY 2008 funds for the Iowa Consortium for Comprehensive Cancer Control (ICCCC).

- A decrease of \$4,800 for expected carryforward funds from the FY 2008 funds for the Hemophilia Advisory Council.
- A decrease of \$10,000 to reflect the elimination of funding for extracorporeal support.

91 2 a. Of the funds appropriated in this subsection, \$473,981  
91 3 shall be used for child health specialty clinics.

Allocates \$473,981 for additional funding for child health specialty clinics.

DETAIL: Maintains the current allocation level. This is in addition to the current \$468,865 in General Fund appropriations provided for this purpose.

91 4 b. Of the funds appropriated in this subsection, \$500,000  
91 5 shall be used for the comprehensive cancer control program to  
91 6 reduce the burden of cancer in Iowa through prevention, early  
91 7 detection, effective treatment, and ensuring quality of life.  
91 8 The department shall utilize one of the full-time equivalent  
91 9 positions authorized in this subsection for administration of  
91 10 the activities related to the comprehensive cancer control  
91 11 program.

Allocates \$500,000 and 1.00 FTE position for the Iowa Consortium for Comprehensive Cancer Control.

DETAIL: Maintains the current allocation level when the FY 2008 carryforward of \$10,000 is included.

91 12 c. Of the funds appropriated in this subsection, \$5,000  
91 13 shall be used for the hemophilia advisory council pursuant to  
91 14 chapter 135N.

Allocates \$5,000 to implement the Hemophilia Advisory Council.

DETAIL: Maintains the current allocation level when the expected carryforward of \$4,800 is included.

91 15 d. Of the funds appropriated in this subsection, \$200,000  
91 16 shall be used for cervical and colon cancer screening.

Allocates \$200,000 for cervical and colon cancer screening.

DETAIL: Maintains the current allocation level.

91 17 4. COMMUNITY CAPACITY  
91 18 ..... \$ 2,790,000  
91 19 ..... FTEs 6.00

Health Care Trust Fund appropriation to the Community Capacity Program.

DETAIL: Maintains the current level of appropriation and provides an

		increase of 4.00 FTE positions compared to the estimated FY 2008 appropriation. An additional \$1,760,532 is provided to the Community Capacity Program from the General Fund in Division I.
91 20	a. Of the funds appropriated in this subsection, \$75,000	Allocates \$75,000 for local public health redesign efforts.
91 21	shall be used to further develop and implement at the state	
91 22	level, and pilot at the local level, the Iowa public health	DETAIL: Maintains the current allocation level.
91 23	standards approved by the department.	
91 24	b. Of the funds appropriated in this subsection, \$200,000	Allocates \$200,000 for the Mental Health Professional Shortage Area
91 25	shall be used for the mental health professional shortage area	Program.
91 26	program implemented pursuant to section 135.80.	DETAIL: Maintains the current allocation level.
91 27	c. Of the funds appropriated in this subsection, \$50,000	Allocates \$50,000 to implement a rotation program for intern
91 28	shall be used for a grant to a statewide association of	psychologists in urban and rural mental health professional shortage
91 29	psychologists that is affiliated with the American	areas.
91 30	psychological association to be used for continuation of a	
91 31	program to rotate intern psychologists in placements in urban	DETAIL: Maintains the current allocation level.
91 32	and rural mental health professional shortage areas, as	
91 33	defined in section 135.80.	
91 34	d. Of the funds appropriated in this subsection, the	Provides for allocations to the Iowa Collaborative Safety Net Provider
91 35	following amounts shall be allocated to the Iowa collaborative	Network.
92 1	safety net provider network established pursuant to section	
92 2	135.153 to be used for the purposes designated:	
92 3	(1) For distribution to the Iowa=Nebraska primary care	Allocates \$100,000 for the Iowa Collaborative Safety Net Provider
92 4	association for statewide coordination of the Iowa	Network.
92 5	collaborative safety net provider network:	
92 6	..... \$ 100,000	DETAIL: Maintains the current allocation level.
92 7	(2) For distribution to the Iowa family planning network	Allocates \$100,000 for family planning network agencies to assist

92 8	agencies for necessary infrastructure, statewide coordination,	patients in finding an appropriate medical home.
92 9	provider recruitment, service delivery, and provision of	
92 10	assistance to patients in determining an appropriate medical	DETAIL: Maintains the current allocation level.
92 11	home:	
92 12	..... \$ 100,000	
92 13	(3) For distribution to the local boards of health that	Allocates \$100,000 for local board of health pilot programs in three
92 14	provide direct services for pilot programs in three counties	counties to assist patients in finding an appropriate medical home.
92 15	to assist patients in determining an appropriate medical home:	
92 16	..... \$ 100,000	DETAIL: Maintains the current allocation level.
92 17	(4) For distribution to maternal and child health centers	Allocates \$100,000 for three child and maternal health center pilot
92 18	for pilot programs in three counties to assist patients in	programs to assist patients in finding an appropriate medical home.
92 19	determining an appropriate medical home:	
92 20	..... \$ 100,000	DETAIL: Maintains the current allocation level.
92 21	(5) For distribution to free clinics for necessary	Allocates \$250,000 for free clinics to assist patients in finding an
92 22	infrastructure, statewide coordination, provider recruitment,	appropriate medical home.
92 23	service delivery, and provision of assistance to patients in	
92 24	determining an appropriate medical home:	DETAIL: Maintains the current allocation level.
92 25	..... \$ 250,000	
92 26	(6) For distribution to rural health clinics for necessary	Allocates \$150,000 for rural health clinics to assist patients in finding
92 27	infrastructure, statewide coordination, provider recruitment,	an appropriate medical home.
92 28	service delivery, and provision of assistance to patients in	
92 29	determining an appropriate medical home:	DETAIL: Maintains the current allocation level.
92 30	..... \$ 150,000	
92 31	(7) For continuation of the safety net provider patient	Allocates \$400,000 for the safety net provider patient access to
92 32	access to specialty health care initiative as described in	specialty care initiative.
92 33	2007 Iowa Acts, ch. 218, section 109:	
92 34	..... \$ 400,000	DETAIL: Maintains the current allocation level.
92 35	(8) For continuation of the pharmaceutical infrastructure	Allocates \$400,000 for the pharmaceutical infrastructure for safety net

93 1	for safety net providers as described in 2007 Iowa Acts, ch.	providers.
93 2	218, section 108:	
93 3	..... \$ 400,000	DETAIL: Maintains the current allocation level.
93 4	The Iowa collaborative safety net provider network may	
93 5	continue to distribute funds allocated pursuant to this	
93 6	paragraph "d" through existing contracts or renewal of	
93 7	existing contracts.	
93 8	e. Of the funds appropriated in this subsection, \$650,000	Allocates \$650,000 for the Incubation Grant Program for Community
93 9	shall be used for the incubation grant program to community	Health Centers.
93 10	health centers that receive a total score of 85 based on the	
93 11	evaluation criteria of the health resources and services	DETAIL: Maintains the current allocation level.
93 12	administration of the United States department of health and	
93 13	human services.	
93 14	f. Of the funds appropriated in this subsection, \$75,000	Allocates \$75,000 for the implementation of the recommendations of
93 15	shall be used for implementation of the recommendations of the	the Direct Care Worker Task Force.
93 16	direct care worker task force established pursuant to 2005	
93 17	Iowa Acts, chapter 88, based upon the report submitted to the	DETAIL: Maintains the current allocation level.
93 18	governor and the general assembly in December 2006.	
93 19	g. Of the funds appropriated in this subsection, \$140,000	Allocates \$140,000 to enhance the recruitment and retention of direct
93 20	shall be used for allocation to an independent statewide	care workers in health and long-term care.
93 21	direct care worker association for education, outreach,	
93 22	leadership development, mentoring, and other initiatives	DETAIL: Maintains the current allocation level.
93 23	intended to enhance the recruitment and retention of direct	
93 24	care workers in health and long-term care.	
93 25	h. The department shall utilize one of the full-time	Requires the Department to utilize 1.00 FTE position for
93 26	equivalent positions authorized in this subsection for	administration of activities related to the Iowa Collaborative Safety Net
93 27	administration of the activities related to the Iowa	Provider Network.
93 28	collaborative safety net provider network.	
93 29	i. The department shall utilize one of the full-time	Requires the Department to utilize 1.00 FTE position for

93 30 equivalent positions authorized in this subsection for  
 93 31 administration of the voluntary health care provider program  
 93 32 pursuant to section 135.24.

administration of the Voluntary Health Care Provider Program.

93 33 Sec. 63. DEPARTMENT OF HUMAN SERVICES. In addition to any  
 93 34 other appropriation made in this Act for the purposes  
 93 35 designated, there is appropriated from the health care trust  
 94 1 fund created in section 453A.35A to the department of human  
 94 2 services for the fiscal year beginning July 1, 2008, and  
 94 3 ending June 30, 2009, the following amounts, or so much  
 94 4 thereof as is necessary, for the purposes designated:

94 5 1. MEDICAL ASSISTANCE

Health Care Trust Fund appropriation to the Medicaid Program.

94 6 ..... \$114,943,296

DETAIL: This is an increase of \$15,425,200 compared to the estimated FY 2008 appropriation.

94 7 Of the funds appropriated in this subsection, \$250,000  
 94 8 shall be used for the grant to the Iowa healthcare  
 94 9 collaborative as described in section 135.40.

Allocates \$250,000 for the Iowa Healthcare Collaborative.

DETAIL: Maintains the current level of HCTF support. An additional \$250,000 is allocated from the General Fund for this purpose under the Medical Assistance appropriation.

94 10 2. MH/MR/DD ALLOWED GROWTH FACTOR

94 11 ..... \$ 7,592,099

Health Care Trust Fund appropriation for the Mental Health, Mental Retardation, and Developmental Disabilities Growth Factor.

94 12 The funds appropriated in this subsection shall be credited  
 94 13 to the property tax relief fund created in section 426B.1.

DETAIL: Maintains the current level of HCTF support.

94 14 Sec. 64. BEHAVIORAL HEALTH == DEVELOPING WORKFORCE  
 94 15 COMPETENCIES.

94 16 1. The department of public health shall continue during  
 94 17 the fiscal year beginning July 1, 2008, the collaborative work  
 94 18 with the departments of corrections, education, elder affairs,  
 94 19 and human services, and other state agencies, commenced  
 94 20 pursuant to 2007 Iowa Acts, ch. 218, section 111, to enhance

Requires the Department of Public Health to continue the collaboration with various other State agencies in FY 2009 to improve the workforce skills of professional and direct care staff that provide behavioral health services. Requires the use of findings from the U.S. Department of Health and Human Services, and the Annapolis Coalition to implement efforts to improve skills.

94 21 the workforce competencies of professional and direct care  
94 22 staff who provide behavioral health services, including but  
94 23 not limited to all of the following:  
94 24 a. Treatment of persons with co-occurring mental health  
94 25 and substance use disorders.  
94 26 b. Treatment of children with mental health or substance  
94 27 use disorders.  
94 28 c. Treatment of persons with serious mental illness.  
94 29 d. Treatment of veterans of United States or Iowa military  
94 30 service with mental health or substance use disorders.  
94 31 e. Treatment of older adults with mental health or  
94 32 substance use disorders.  
94 33 2. The department's collaborative effort shall utilize the  
94 34 findings of the substance abuse and mental health services  
94 35 administration of the United States department of health and  
95 1 human services and materials developed by the Annapolis  
95 2 coalition on the behavioral health workforce in planning and  
95 3 implementing efforts to enhance the competency-based training  
95 4 of the state's behavioral health workforce.

95 5 DIVISION V

95 6 APPROPRIATION-RELATED CHANGES == EFFECTIVE DATE

95 7 Sec. 65. Section 35D.18, subsection 5, Code 2007, is  
95 8 amended to read as follows:  
95 9 5. Notwithstanding section 8.33, ~~up to five hundred~~  
95 10 ~~thousand dollars of~~ any balance in the Iowa veterans home  
95 11 ~~revenue~~ annual appropriation or revenues that ~~remain~~ remains  
95 12 unencumbered or unobligated at the close of the fiscal year  
95 13 shall not revert but shall remain available for expenditure  
95 14 for specified purposes of the Iowa veterans home until the  
95 15 close of the succeeding fiscal year.

CODE: Removes the \$500,000 annual carryforward limit for the Iowa Veterans Home. This Section takes effect on enactment to allow additional carryforward funds for the general operating budget of the Home in FY 2009. The estimated FY 2008 carryforward is \$3,000,000.

95 16 JUVENILE DETENTION HOME FUND

95 17 Sec. 66. HEALTHY IOWANS TOBACCO TRUST. There is

Healthy Iowans Tobacco Trust FY 2008 supplemental appropriation to



95 18 appropriated from the healthy lowans tobacco trust created in  
 95 19 section 12.65, to the department of human services for the  
 95 20 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
 95 21 for deposit in the juvenile detention home fund created in  
 95 22 section 232.142:  
 95 23 ..... \$ 1,000,000

the Juvenile Detention Fund.

DETAIL: This is a new appropriation for FY 2008. This Section takes effect on enactment.

95 24 CHILD WELFARE DECATORIZATION  
 95 25 FY 2006=2007 NONREVERSION

95 26 Sec. 67. 2006 Iowa Acts, chapter 1184, section 17,  
 95 27 subsection 4, is amended by adding the following new  
 95 28 unnumbered paragraph:  
 95 29 NEW UNNUMBERED PARAGRAPH . Notwithstanding section 232.188,  
 95 30 subsection 5, moneys from the allocations made in this  
 95 31 subsection or made from any other source for the  
 95 32 decategorization of child welfare and juvenile justice funding  
 95 33 initiative under section 232.188, that are designated as  
 95 34 carryover funding and that remain unencumbered or unobligated  
 95 35 at the close of the fiscal year beginning July 1, 2007, shall  
 96 1 not revert but shall remain available for expenditure until  
 96 2 the close of the succeeding fiscal year to be used for the  
 96 3 purposes of continuing the initiative in the succeeding fiscal  
 96 4 year.

CODE: Permits carryforward of FY 2007 child welfare funds that were set aside for use in FY 2008 for decategorization.

DETAIL: These funds would revert to the State General Fund at the end of FY 2008 without this change. Of the funds, \$3,605,000 will replace the annual appropriation from the child welfare appropriation for FY 2009. The remaining funds of an unknown amount will be retained with the decategorization programs at the local level. This Section takes effective on enactment.

96 5 VIETNAM CONFLICT VETERANS BONUS FUND

96 6 Sec. 68. 2007 Iowa Acts, chapter 176, section 3, is  
 96 7 amended by adding the following new unnumbered paragraph:  
 96 8 NEW UNNUMBERED PARAGRAPH . Notwithstanding section 8.33,  
 96 9 moneys appropriated in this section that remain unencumbered  
 96 10 or unobligated at the close of the fiscal year shall not  
 96 11 revert but shall remain available for expenditure for the  
 96 12 purposes designated until the close of the succeeding fiscal  
 96 13 year.

CODE: Permits the carryforward of the FY 2008 funds remaining from the Vietnam Conflict Veterans Bonus Fund.

DETAIL: The estimated carryforward is \$250,000. This Section takes effect on enactment.

## 96 14 INJURED VETERANS GRANT PROGRAM

96 15 Sec. 69. 2006 Iowa Acts, chapter 1184, section 5, as  
96 16 enacted by 2007 Iowa Acts, chapter 203, section 1, subsection  
96 17 4, unnumbered paragraph 2, is amended to read as follows:  
96 18 Notwithstanding section 8.33, moneys appropriated in this  
96 19 subsection that remain unencumbered or unobligated at the  
96 20 close of the fiscal year shall not revert but shall remain  
96 21 available for expenditure for the purposes designated until  
96 22 the close of the ~~succeeding~~ fiscal year beginning July 1,  
96 23 2008.

CODE: Permits the carryforward of funds remaining in the Injured Veterans Grant Program to FY 2009.

DETAIL: This appropriation is from FY 2007 as amended in FY 2008. The estimated FY 2008 carryforward is \$1,000,000. This Section takes effect on enactment.

96 24 DEPARTMENT OF ELDER AFFAIRS == LIVABLE  
96 25 COMMUNITY INITIATIVE

96 26 Sec. 70. 2007 Iowa Acts, chapter 215, section 32, is  
96 27 amended by adding the following new subsection:  
96 28 NEW SUBSECTION . 4. Notwithstanding section 8.33, moneys  
96 29 appropriated in this section that remain unencumbered or  
96 30 unobligated at the close of the fiscal year shall not revert  
96 31 but shall remain available for expenditure for the purposes  
96 32 designated until the close of the succeeding fiscal year.

CODE: Permits the carryforward of the FY 2008 appropriation to the Department of Elder Affairs for the Livable Community Initiative to FY 2009.

DETAIL: It is estimated that \$50,000 will carry forward from FY 2008 to FY 2009. This Section takes effect on enactment.

## 96 33 CHRONIC CONDITIONS == PKU

96 34 Sec. 71. 2007 Iowa Acts, chapter 218, section 2,  
96 35 subsection 3, unnumbered paragraph 2, is amended to read as  
97 1 follows:  
97 2 Of the funds appropriated in this subsection, \$100,000  
97 3 shall be used as additional funding to provide grants to  
97 4 individual patients who have phenylketonuria (PKU) to assist  
97 5 with the costs of necessary special foods. Notwithstanding  
97 6 section 8.33, moneys appropriated in this subsection and  
97 7 allocated in this paragraph that remain unencumbered or

CODE: Permits the carryforward of FY 2008 funds to FY 2009 for the Phenylketonuria (PKU) Program.

DETAIL: It is estimated that \$100,000 of the funds will carry forward.

97 8 unobligated at the close of the fiscal year shall not revert  
97 9 but shall remain available for expenditure for the purposes  
97 10 designated until the close of the succeeding fiscal year.

97 11 PUBLIC PROTECTION == ANTIVIRAL STOCKPILE

97 12 Sec. 72. 2007 Iowa Acts, chapter 218, section 2,  
97 13 subsection 8, paragraph d, is amended to read as follows:  
97 14 d. Of the funds appropriated in this subsection, \$150,000  
97 15 shall be used for management of the antiviral stockpile.  
97 16 Notwithstanding section 8.33, moneys appropriated in this  
97 17 subsection and allocated in this paragraph that remain  
97 18 unencumbered or unobligated at the close of the fiscal year  
97 19 shall not revert but shall remain available for expenditure  
97 20 for the purposes designated until the close of the succeeding  
97 21 fiscal year.

CODE: Permits the carryforward of FY 2008 funds from the DPH antiviral stockpile costs.

DETAIL: The estimated carryforward is \$37,145. This Section takes effect on enactment.

97 22 DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

97 23 Sec. 73. 2007 Iowa Acts, chapter 218, section 4,  
97 24 subsection 1, is amended by adding the following new  
97 25 unnumbered paragraph:  
97 26 NEW UNNUMBERED PARAGRAPH . Notwithstanding section 8.33, up  
97 27 to \$100,000 of the moneys appropriated in this subsection that  
97 28 remain unencumbered or unobligated at the close of the fiscal  
97 29 year shall not revert but shall remain available for  
97 30 expenditure for the purposes designated in this paragraph  
97 31 until the close of the succeeding fiscal year. The purposes  
97 32 shall include the sign for the veterans cemetery and other  
97 33 necessary expenses.

CODE: Permits carryforward of the funds remaining from the FY 2008 appropriation to the Department of Veterans Affairs to be used for the Iowa Cemetery signage and other necessary expenses.

DETAIL: It is estimated that \$100,000 will carry forward to FY 2009. The cemetery signage is expected to receive \$40,000 and \$60,000 is expected to be expended for various building improvements, technology, and administrative costs. This Section takes effect on enactment.

97 34 COUNTY GRANT PROGRAM

97 35 Sec. 74. 2007 Iowa Acts, chapter 218, section 4,

CODE: Permits carryforward of FY 2008 funds for the County

98 1 subsection 4, unnumbered paragraph 3, is amended to read as  
 98 2 follows:  
 98 3 Notwithstanding section 8.33, moneys appropriated in this  
 98 4 subsection that remain unencumbered or unobligated at the  
 98 5 close of the fiscal year shall not revert to the fund from  
 98 6 ~~which appropriated but shall be credited to the veterans trust~~  
 98 7 ~~fund~~ but shall remain available for expenditure for the  
 98 8 purposes designated until the close of the succeeding fiscal  
 98 9 year .

Veterans Grant Program.

DETAIL: It is estimated that \$200,000 will carry forward to FY 2009.  
 This Section takes effect on enactment.

98 10 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES  
 98 11 BLOCK GRANT == CHILD CARE  
 98 12 Sec. 75. 2007 Iowa Acts, chapter 218, section 7,  
 98 13 subsections 1 and 7, are amended to read as follows:

98 14 1. To be credited to the family investment program account  
 98 15 and used for assistance under the family investment program  
 98 16 under chapter 239B:  
 98 17 ..... \$ ~~36,890,944~~  
 98 18 28,390,944

CODE: Decreases the FY 2008 appropriation from TANF to the  
 Family Investment Program.

DETAIL: This is a decrease of \$8,500,000 from the FY 2008 TANF  
 appropriation.

98 19 7. For state child care assistance:  
 98 20 ..... \$ ~~18,986,177~~  
 98 21 27,486,177  
 98 22 a. Of the funds appropriated in this subsection, up to  
 98 23 \$18,986,177 shall be transferred to the child care and  
 98 24 development block grant appropriation made for the federal  
 98 25 fiscal year beginning October 1, 2007, and ending September  
 98 26 30, 2008, in 2007 Iowa Acts, ch. 204, section 14. Of this  
 98 27 amount, \$200,000 shall be used for provision of educational  
 98 28 opportunities to registered child care home providers in order  
 98 29 to improve services and programs offered by this category of  
 98 30 providers and to increase the number of providers. The  
 98 31 department may contract with institutions of higher education  
 98 32 or child care resource and referral centers to provide the

CODE: FY 2008 TANF supplemental appropriation of \$8,500,000 for  
 child care assistance.

DETAIL: This increase of FY 2008 TANF monies allows the  
 Department to utilize an additional \$8,500,000 for direct child care  
 assistance for FIP families.

98 33 educational opportunities. Allowable administrative costs  
 98 34 under the contracts shall not exceed 5 percent. The  
 98 35 application for a grant shall not exceed two pages in length.  
 99 1 b. ~~The Any~~ funds appropriated in this subsection ~~shall be~~  
 99 2 ~~transferred to the child care and development block grant~~  
 99 3 ~~appropriation~~ that remain unallocated shall be used for state  
 99 4 child care assistance payments for individuals enrolled in the  
 99 5 family investment program who are employed .

99 6 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES  
 99 7 FAMILY DEVELOPMENT AND SELF-SUFFICIENCY GRANT PROGRAM

99 8 Sec. 76. 2007 Iowa Acts, chapter 218, section 7,  
 99 9 subsection 3, is amended by adding the following new  
 99 10 unnumbered paragraph:  
 99 11 NEW UNNUMBERED PARAGRAPH . Notwithstanding section 8.33,  
 99 12 moneys appropriated in this subsection that remain  
 99 13 unencumbered or unobligated at the close of the fiscal year  
 99 14 shall not revert but shall remain available for expenditure  
 99 15 for the purposes designated until the close of the succeeding  
 99 16 fiscal year. However, unless such moneys are encumbered or  
 99 17 obligated on or before September 30, 2008, the moneys shall  
 99 18 revert.

CODE: Permits the carryforward of FY 2008 Family Investment Program Account funding.

99 19 FAMILY INVESTMENT PROGRAM == TRANSITIONAL BENEFITS

99 20 Sec. 77. 2007 Iowa Acts, chapter 218, section 8,  
 99 21 subsection 4, paragraph d, is amended to read as follows:  
 99 22 ~~d. For developing and implementing a new program to~~  
 99 23 ~~provide transitional benefits to families with members who are~~  
 99 24 ~~employed at the time the family leaves the family investment~~  
 99 25 ~~program in accordance with section 239B.11A, as enacted by~~  
 99 26 ~~this Act:~~  
 99 27 ..... \$ 2,000,000  
 99 28 ~~The department may adopt emergency rules to implement the~~

CODE: Eliminates the FY 2008 TANF appropriation for the Transitional Benefit Program in the Family Investment Program (FIP).

DETAIL: The DHS did not implement this Program in FY 2008. This Section takes effect on enactment.

99 29 ~~new program.~~

99 30 CHILDREN'S HEALTH INSURANCE PROGRAM

99 31 Sec. 78. 2007 Iowa Acts, chapter 218, section 15, is  
99 32 amended by adding the following new subsection:  
99 33 NEW SUBSECTION . 4. Notwithstanding sections 8.33 and  
99 34 514I.11, up to \$441,000 of the moneys appropriated in this  
99 35 section that remain unencumbered or unobligated at the close  
100 1 of the fiscal year shall not revert to any other fund but  
100 2 shall instead be transferred to the appropriation made in  
100 3 section 16 of this Act for child care assistance to be used  
100 4 for the state child care assistance program until the close of  
100 5 the succeeding fiscal year.

CODE: Requires nonreversion of \$441,000 of the State Children's Health Insurance Program appropriation for transfer to the Child Care Assistance appropriation.

100 6 CHILD AND FAMILY SERVICES  
100 7 TRANSFER FOR CHILD CARE

100 8 Sec. 79. 2007 Iowa Acts, chapter 218, section 18,  
100 9 subsection 3, is amended to read as follows:  
100 10 3. The department may transfer funds appropriated in this  
100 11 section as necessary to pay the nonfederal costs of services  
100 12 reimbursed under the medical assistance program , the state  
100 13 child care assistance program, or the family investment  
100 14 program which are provided to children who would otherwise  
100 15 receive services paid under the appropriation in this section.  
100 16 The department may transfer funds appropriated in this section  
100 17 to the appropriations in this division of this Act for general  
100 18 administration and for field operations for resources  
100 19 necessary to implement and operate the services funded in this  
100 20 section.

CODE: Permits the DHS to transfer funds from the FY 2008 Child and Family Services appropriation to the State Child Care Assistance Program.

100 21 CHILD AND FAMILY SERVICES FY 2007=2008

100 22 Sec. 80. 2007 Iowa Acts, chapter 218, section 18, is

CODE: Permits the DHS to carryforward up to \$6,600,000 from one

100 23 amended by adding the following new subsection:  
 100 24 NEW SUBSECTION . 5A. Notwithstanding sections 8.33 and  
 100 25 232.188, up to \$6,600,000 of the funds appropriated in this  
 100 26 section that could otherwise be designated as carryover  
 100 27 funding under section 232.188 and that would remain  
 100 28 unencumbered or unobligated at the close of the fiscal year  
 100 29 shall instead be transferred to the appropriation made in  
 100 30 section 16 of this Act for child care assistance to be used  
 100 31 for the state child care assistance program until the close of  
 100 32 the succeeding fiscal year.

time funds remaining in child welfare resulting from the payment methodology redesign in FY 2008 to be used for the Child Care Subsidy Program in FY 2009.

DETAIL: This Section takes effect on enactment.

100 33 CHILD AND FAMILY SERVICES  
 100 34 PROTECTIVE CHILD CARE

100 35 Sec. 81. 2007 Iowa Acts, chapter 218, section 18,  
 101 1 subsection 9, is amended to read as follows:  
 101 2 9. Of the funds appropriated in this section, at least  
 101 3 \$3,696,285 shall be used for protective child care assistance.

CODE: Permits the DHS to expend more than the budgeted \$3,696,285 of FY 2008 Child and Family Services allocation on protective child care assistance.

101 4 JUVENILE DETENTION FUNDING  
 101 5 Sec. 82. 2007 Iowa Acts, chapter 218, section 20, is  
 101 6 amended to read as follows:  
 101 7 SEC. 20. JUVENILE DETENTION HOME FUND. Moneys deposited  
 101 8 in the juvenile detention home fund created in section 232.142  
 101 9 during the fiscal year beginning July 1, 2007, and ending June  
 101 10 30, 2008, are appropriated to the department of human services  
 101 11 for the fiscal year beginning July 1, 2007, and ending June  
 101 12 30, 2008, for distribution as follows:  
 101 13 1. ~~An~~ The following amount which is equal to more than 10  
 101 14 percent of the costs of the establishment, improvement,  
 101 15 operation, and maintenance of county or multicounty juvenile  
 101 16 detention homes in the fiscal year beginning July 1, 2006.  
 101 17 Moneys appropriated for distribution in accordance with this  
 101 18 subsection shall be allocated among eligible detention homes,  
 101 19 prorated on the basis of an eligible detention home's

CODE: Changes the distribution of the FY 2008 Juvenile Detention Home Fund allocations as follows:

- Increases the Juvenile Detention Center initial allocation by \$2,000,000 by changing the allocation from 10.00% of the FY 2007 expenditures to a specific amount. Eliminates the allocation that the Centers receive after all other allocations are made.
- Decreases the allocation for the State share of the federal Substance Abuse and Mental Health Services Administration (SAMHSA) grant by \$100,000.
- Eliminates the \$1,324,000 allocation for group care and replaces it with the remaining unexpended amount in the Fund. It is estimated that \$797,027 will remain for this purpose.
- Permits the DHS to carry forward funds that may not be needed for group care in FY 2008 from these monies into FY 2009 for the Preparation for Adult Living (PAL) Program.
- Eliminates the initial allocation in FY 2008 for the family training

101 20	proportion of the costs of all eligible detention homes in the	for nonlicensed relatives.
101 21	fiscal year beginning July 1, 2006 <del>Notwithstanding section</del>	
101 22	<del>232.142, subsection 3, the financial aid payable by the state</del>	This Section takes effect on enactment.
101 23	<del>under that provision for the fiscal year beginning July 1,</del>	
101 24	<del>2007, shall be limited to the amount appropriated for the</del>	
101 25	<del>purposes of this subsection. ;</del>	
101 26	<del>..... \$ 3,764,041</del>	
101 27	2. For renewal of a grant to a county with a population	
101 28	between 189,000 and 196,000 in the latest preceding certified	
101 29	federal census for implementation of the county's runaway	
101 30	treatment plan under section 232.195:	
101 31	..... \$ 80,000	
101 32	3. For continuation and expansion of the community	
101 33	partnership for child protection sites:	
101 34	..... \$ 418,000	
101 35	4. For continuation of the department's minority youth and	
102 1	family projects under the redesign of the child welfare	
102 2	system:	
102 3	..... \$ 375,000	
102 4	5. For funding of the state match for the federal	
102 5	substance abuse and mental health services administration	
102 6	(SAMHSA) system of care grant:	
102 7	..... \$ 400,000	
102 8	<u>300,000</u>	
102 9	<del>6. For transfer to the appropriation made in this Act for</del>	
102 10	<del>child and family services to supplement the statewide</del>	
102 11	<del>expenditure target amount under section 232.143 designated in</del>	
102 12	<del>the appropriation made in this Act for child and family</del>	
102 13	<del>services:</del>	
102 14	<del>..... \$ 1,324,000</del>	
102 15	<del>7. For training of nonlicensed relatives caring for</del>	
102 16	<del>children in the child welfare system:</del>	
102 17	<del>..... \$ 276,000</del>	
102 18	<del>8- 6. The remainder for additional allocations to county</del>	
102 19	<del>or multicounty juvenile detention homes, in accordance with</del>	
102 20	<del>the distribution requirements of subsection 1 shall be</del>	
102 21	<u>credited to the appropriation made in section 18 of this Act</u>	
102 22	<u>for child and family services to supplement the statewide</u>	



102 23 expenditure target amount under section 232.143 designated in  
 102 24 that appropriation . Notwithstanding section 8.33, moneys  
 102 25 credited pursuant to this subsection that remain unencumbered  
 102 26 or unobligated at the close of the fiscal year shall not  
 102 27 revert but shall remain available for expenditure for caseload  
 102 28 growth in the preparation for adult living program pursuant to  
 102 29 section 234.46 until the close of the succeeding fiscal year.

102 30 MI/MR/DD STATE CASES  
 102 31 ADDICTIVE DISORDERS

102 32 Sec. 83. 2007 Iowa Acts, chapter 218, section 25,  
 102 33 subsection 3, is amended to read as follows:  
 102 34 3. Notwithstanding section 8.33, moneys appropriated in  
 102 35 this section that remain unencumbered or unobligated at the  
 103 1 close of the fiscal year shall not revert but shall remain  
 103 2 available for expenditure for the purposes designated until  
 103 3 the close of the succeeding fiscal year. The first \$300,000  
 103 4 of such moneys shall be transferred to the appropriation made  
 103 5 from the general fund of the state to the department of public  
 103 6 health for addictive disorders for the fiscal year beginning  
 103 7 July 1, 2008, to be used for substance abuse treatment  
 103 8 activities.

CODE: Requires the initial \$300,000 of the FY 2008 State Cases remaining funds to be transferred to the DPH for the Addictive Disorders Program for substance abuse treatment activities.

103 9 MH/DD COMMUNITY SERVICES FUND  
 103 10 TRANSFER FOR ADDICTIVE DISORDERS  
 103 11 Sec. 84. 2007 Iowa Acts, chapter 218, section 26,  
 103 12 subsection 6, is amended to read as follows:  
 103 13 6. Of the funds appropriated in this section, \$260,000 is  
 103 14 allocated to the department for continuing the development of  
 103 15 an assessment process for use beginning in a subsequent fiscal  
 103 16 year as authorized specifically by a statute to be enacted in  
 103 17 a subsequent fiscal year, determining on a consistent basis  
 103 18 the needs and capacities of persons seeking or receiving  
 103 19 mental health, mental retardation, developmental disabilities,

CODE: Requires \$260,000 of the FY 2008 DHS General Administration funds for mental health assessment projects to be transferred to the DPH for Addictive Disorders substance abuse treatment activities in FY 2009.

103 20 or brain injury services that are paid for in whole or in part  
103 21 by the state or a county. The assessment process shall be  
103 22 developed with the involvement of counties and the mental  
103 23 health, mental retardation, developmental disabilities, and  
103 24 brain injury commission. Notwithstanding section 8.33, moneys  
103 25 allocated in this subsection that remain unencumbered or  
103 26 unobligated at the close of the fiscal year shall not revert  
103 27 but shall be transferred to the appropriation made from the  
103 28 general fund of the state to the department of public health  
103 29 for addictive disorders for the fiscal year beginning July 1,  
103 30 2008, to be used for substance abuse treatment activities.

#### 103 31 SEXUALLY VIOLENT PREDATORS

103 32 Sec. 85. 2007 Iowa Acts, chapter 218, section 27, is  
103 33 amended by adding the following new subsection:  
103 34 NEW SUBSECTION . 3. Notwithstanding section 8.33, moneys  
103 35 appropriated in this section that remain unencumbered or  
104 1 unobligated at the close of the fiscal year shall not revert  
104 2 but shall remain available for expenditure for the purposes  
104 3 designated until the close of the succeeding fiscal year.

CODE: Permits the carryforward of all remaining FY 2008 funds for the DHS Sexually Violent Predator Program to FY 2009 for the Program.

DETAIL: It is estimated that \$100,000 will carry forward into FY 2009. The Section takes effect on enactment.

#### 104 4 DEPARTMENT OF HUMAN SERVICES FIELD OPERATIONS

104 5 Sec. 86. 2007 Iowa Acts, chapter 218, section 28, is  
104 6 amended by adding the following new subsection:  
104 7 NEW SUBSECTION . 4. Notwithstanding section 8.33, up to  
104 8 \$1,500,000 of the moneys appropriated in this section that  
104 9 remain unencumbered or unobligated at the close of the fiscal  
104 10 year shall not revert but shall remain available for  
104 11 expenditure for the purposes designated until the close of the  
104 12 succeeding fiscal year.

CODE: Permits carry forward of up to \$1,500,000 from the FY 2008 DHS Field Operations appropriation to FY 2009 for Field Operations.

DETAIL: This Section takes effect on enactment.

#### 104 13 DEPARTMENT OF HUMAN SERVICES GENERAL ADMINISTRATION

104 14 Sec. 87. 2007 Iowa Acts, chapter 218, section 29, is  
104 15 amended by adding the following new subsections:

104 16 NEW SUBSECTION . 4. Of the funds appropriated in this  
104 17 section, \$1,000,000 is transferred to the juvenile detention  
104 18 home fund created in section 232.142.

CODE: Transfers \$1,000,000 of the FY 2008 DHS General  
Administration appropriation to the Juvenile Detention Home Fund.

DETAIL: This Section takes effect on enactment.

104 19 NEW SUBSECTION . 5. Notwithstanding section 8.33, up to  
104 20 \$110,000 of the moneys appropriated in this section that  
104 21 remain unencumbered or unobligated at the close of the fiscal  
104 22 year shall not revert but shall remain available for  
104 23 expenditure for the purposes designated until the close of the  
104 24 succeeding fiscal year.

CODE: Permits carryforward of up to \$110,000 from the DHS FY  
2008 General Administration appropriation to FY 2009 for General  
Administration.

DETAIL: This Section takes effect on enactment.

#### 104 25 ADJUSTMENT OF PHARMACY DISPENSING FEE

104 26 Sec. 88. 2007 Iowa Acts, chapter 218, section 31,  
104 27 subsection 1, paragraph b, is amended to read as follows:  
104 28 b. (4) For the fiscal year beginning July 1, 2007, the  
104 29 department shall reimburse pharmacy dispensing fees using a  
104 30 single rate of \$4.52 per prescription, or the pharmacy's usual  
104 31 and customary fee, whichever is lower.

CODE: Eliminates a requirement that the Department of Human  
Services adjust the pharmacy dispensing fee to compensate for  
losses resulting from changes to the Average Manufacturer Price  
directed by the Federal Deficit Reduction Act of 2005.

DETAIL: This Section takes effect on enactment.

104 32 ~~(2) Beginning July 1, 2007, the department of human~~  
104 33 ~~services shall adopt rules, pursuant to chapter 17A, to~~  
104 34 ~~provide for the adjustment of the pharmacy dispensing fee to~~  
104 35 ~~compensate for any reduction in the drug product cost~~  
105 1 ~~reimbursement resulting from implementation of the average~~  
105 2 ~~manufacturer price reimbursement standards for multisource~~  
105 3 ~~generic drug products imposed pursuant to the federal Deficit~~  
105 4 ~~Reduction Act of 2005, Pub. L. No. 109-171. In implementing~~  
105 5 ~~the reimbursement, the department may adjust the reimbursement~~  
105 6 ~~amount as necessary to provide reimbursement within the state~~  
105 7 ~~funding appropriated for the fiscal year beginning July 1,~~  
105 8 ~~2007, and ending June 30, 2008, for this purpose. The~~

105 9 ~~department shall submit a medical assistance state plan~~  
 105 10 ~~amendment to the centers for Medicare and Medicaid services of~~  
 105 11 ~~the United States department of health and human services as~~  
 105 12 ~~necessary to implement this subparagraph (2).~~

#### 105 13 PHARMACEUTICAL SETTLEMENT ACCOUNT

105 14 Sec. 89. 2007 Iowa Acts, chapter 218, section 72, is  
 105 15 amended to read as follows:  
 105 16 SEC. 72. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is  
 105 17 appropriated from the pharmaceutical settlement account  
 105 18 created in section 249A.33 to the department of human services  
 105 19 for the fiscal year beginning July 1, 2007, and ending June  
 105 20 30, 2008, the following amount, or so much thereof as is  
 105 21 necessary, to be used for the purpose designated:  
 105 22 To supplement the appropriations made for medical contracts  
 105 23 under the medical assistance program:  
 105 24 ..... \$ 1,323,833  
 105 25 1,349,833  
 105 26 Of the funds appropriated in this section, notwithstanding  
 105 27 section 249A.33, \$26,000 is transferred to the appropriation  
 105 28 made in this Act from the general fund of the state to the  
 105 29 department of public health for chronic conditions to be used  
 105 30 for the center for congenital and inherited disorders  
 105 31 established pursuant to section 136A.3.

CODE: Supplemental FY 2008 Pharmaceutical Settlement Account appropriation for medical contract costs of \$26,000 for the Center for Congenital and Inherited Disorders.

DETAIL: Senate File 2417 (Healthy Iowans Tobacco Trust) eliminates the FY 2008 appropriation for the Center for Congenital and Inherited Disorders and this Pharmaceutical Settlement Account appropriation replaces it. This Section takes effect on enactment.

#### 105 32 IOWACARE COSTS

105 33 Sec. 90. 2007 Iowa Acts, chapter 218, section 74, is  
 105 34 amended by adding the following new subsections:  
 105 35 NEW SUBSECTION . 8. For payment to the publicly owned  
 106 1 acute care teaching hospital located in a county with a  
 106 2 population of over 350,000 included in the expansion  
 106 3 population provider network pursuant to chapter 249J:  
 106 4 ..... \$ 230,000

CODE: Health Care Transformation Account supplemental FY 2008 appropriation of \$230,000 for the IowaCare Program at Polk County Broadlawns Medical Center.

106 5 Disbursements under this subsection shall be made monthly.  
 106 6 The hospital shall submit a report following the close of the  
 106 7 fiscal year regarding use of the funds appropriated in this  
 106 8 subsection to the persons specified in this Act to receive  
 106 9 reports.

Requires disbursements to Broadlawns Medical Center to be made monthly. The Center is to submit a report following the close of the fiscal year regarding use of the funds appropriated in this Section.

106 10 NEW SUBSECTION . 9. For the medical assistance program  
 106 11 only to the extent all other appropriations made for the  
 106 12 program are insufficient:  
 106 13 ..... \$ 2,500,000

CODE: Health Care Transformation Account contingent appropriation of \$2,500,000 for the Medicaid Program.

DETAIL: These funds will only be accessed if all other appropriations for the Program are insufficient.

#### 106 14 TRANSFER OF BRAIN INJURY FUNDING TO MEDICAL ASSISTANCE

106 15 Sec. 91. 2006 Iowa Acts, chapter 1185, section 1,  
 106 16 subsection 2, as amended by 2007 Iowa Acts, chapter 218,  
 106 17 section 83, subsection 2, paragraph c, is amended by adding  
 106 18 the following new unnumbered paragraph:  
 106 19 NEW UNNUMBERED PARAGRAPH . Notwithstanding any provision of  
 106 20 law to the contrary, moneys that were transferred to the  
 106 21 department of public health pursuant to this paragraph "c"  
 106 22 that remain unencumbered or unobligated at the close of the  
 106 23 fiscal year shall not revert but shall instead be transferred  
 106 24 to the department of human services to the appropriation made  
 106 25 for the medical assistance program in 2007 Iowa Acts, chapter  
 106 26 218, section 11. Notwithstanding section 8.33, the  
 106 27 transferred moneys shall not revert at the close of the fiscal  
 106 28 year but shall instead remain available to be used for the  
 106 29 medical assistance program in the succeeding fiscal year.

CODE: Transfers the remaining FY 2008 Brain Injury Program funds from DPH to the DHS Medical Assistance appropriation.

DETAIL: An estimated \$2,666,378 is expected to be transferred. This Section takes effect on enactment.

#### 106 30 HEALTH CARE TRUST FUND 106 31 DEPARTMENT OF PUBLIC HEALTH == ADDICTIVE DISORDERS

106 32 Sec. 92. 2007 Iowa Acts, chapter 218, section 97,

CODE: Permits FY 2008 Health Care Trust Fund Addictive Disorder funds to carry over to FY 2009.

106 33 subsection 1, is amended by adding the following new  
106 34 paragraph:  
106 35 NEW PARAGRAPH . d. Notwithstanding section 8.33, moneys  
107 1 appropriated and allocated in this subsection that remain  
107 2 unencumbered or unobligated at the close of the fiscal year  
107 3 shall not revert but shall remain available for expenditure  
107 4 for the purposes designated until the close of the succeeding  
107 5 fiscal year.

DETAIL: It is estimated that \$34,000 from the Cultural Competency Substance Abuse Treatment funds will carry forward to FY 2009. This Section takes effect on enactment.

107 6 HEALTH CARE TRUST FUND == DEPARTMENT OF  
107 7 PUBLIC HEALTH == HEALTHY CHILDREN AND FAMILIES

107 8 Sec. 93. 2007 Iowa Acts, chapter 218, section 97,  
107 9 subsection 2, is amended by adding the following new  
107 10 paragraph:  
107 11 NEW PARAGRAPH . g. Notwithstanding section 8.33, moneys  
107 12 appropriated and allocated in this subsection that remain  
107 13 unencumbered or unobligated at the close of the fiscal year  
107 14 shall not revert but shall remain available for expenditure  
107 15 for the purposes designated until the close of the succeeding  
107 16 fiscal year.

CODE: Permits Health Care Trust Funds for the DPH Healthy Children and Families budget to carry forward to FY 2009.

DETAIL: This is estimated to be \$19,800 from the FY 2008 Tissue Bank allocation. This Section takes effect on enactment.

107 17 HEALTH CARE TRUST FUND == DEPARTMENT OF  
107 18 PUBLIC HEALTH == CHRONIC CONDITIONS

107 19 Sec. 94. 2007 Iowa Acts, chapter 218, section 97,  
107 20 subsection 3, is amended by adding the following new  
107 21 paragraph:  
107 22 NEW PARAGRAPH . dd. Notwithstanding section 8.33, moneys  
107 23 appropriated and allocated in this subsection that remain  
107 24 unencumbered or unobligated at the close of the fiscal year  
107 25 shall not revert but shall remain available for expenditure  
107 26 for the purposes designated until the close of the succeeding  
107 27 fiscal year.

CODE: Permits the FY 2008 DPH Health Care Trust Fund Chronic Conditions appropriation to carry forward to FY 2009.

DETAIL: It is estimated that \$10,000 from the Iowa Consortium for Comprehensive Cancer Control will carry forward to FY 2009.

107 28 HEALTH CARE TRUST FUND == DEPARTMENT OF  
107 29 HUMAN SERVICES == STATE CHILDREN'S  
107 30 HEALTH INSURANCE PROGRAM

107 31 Sec. 95. 2007 Iowa Acts, chapter 218, section 98,  
107 32 subsection 2, is amended by adding the following new  
107 33 paragraph:  
107 34 NEW PARAGRAPH . d. Notwithstanding section 8.33, moneys  
107 35 appropriated in this subsection that are allocated for  
108 1 outreach and remain unencumbered or unobligated at the close  
108 2 of the fiscal year, shall not revert but shall remain  
108 3 available for expenditure for the purposes designated until  
108 4 the close of the succeeding fiscal year.

CODE: Permits the carryforward of any FY 2008 outreach dollars appropriated to the Medicaid Program to FY 2009.

DETAIL: The media campaign did not begin until January 2008. It is estimated that there will be up to \$300,000 to carry forward.

108 5 Sec. 96. Section 239B.11A, Code Supplement 2007, is  
108 6 repealed.

CODE: Repeals the Transitional Benefit Program in the Family Investment Program (FIP).

DETAIL: The FY 2008 funding for this Program is eliminated in this Bill.

108 7 Sec. 97. EFFECTIVE DATE. This division of this Act, being  
108 8 deemed of immediate importance, takes effect upon enactment.

Specifies that this Division for FY 2008 carryforwards takes effect on enactment.

108 9 DIVISION VI  
108 10 PRIOR YEAR APPROPRIATION CHANGES  
108 11

108 12 Sec. 98. 2007 Iowa Acts, chapter 214, section 9,  
108 13 subsection 2, paragraph b, is amended to read as follows:  
108 14 b. Psychiatric hospital  
108 15 For salaries, support, maintenance, equipment,  
108 16 miscellaneous purposes, for the care, treatment, and  
108 17 maintenance of committed and voluntary public patients, and  
108 18 for not more than the following full-time equivalent

CODE: Eliminates the FY 2008 General Fund appropriation to the Psychiatric Hospital at the University of Iowa.

DETAIL: The funding will be replaced with an allocation from the IowaCare appropriation.

108 19 positions:  
 108 20 ..... \$ 7,043,056  
 108 21 0  
 108 22 ..... FTEs 269.65

108 23 Sec. 99. 2007 Iowa Acts, chapter 215, section 15,  
 108 24 unnumbered paragraph 1, is amended to read as follows:  
 108 25 There is appropriated from the general fund of the state to  
 108 26 the salary adjustment fund for distribution by the department  
 108 27 of management to the various state departments, boards,  
 108 28 commissions, councils, and agencies, including the state board  
 108 29 of regents except as otherwise provided, and the judicial  
 108 30 branch, for the fiscal year beginning July 1, 2007, and ending  
 108 31 June 30, 2008, the amount of ~~\$106,848,094~~ \$106,569,196 , or so  
 108 32 much thereof as may be necessary, to fully fund annual pay  
 108 33 adjustments, expense reimbursements, and related benefits  
 108 34 implemented pursuant to the following:

CODE: Adjusts the FY 2008 salary allocation language to eliminate funding for the Psychiatric Hospital at the University of Iowa. The salary funding for the Hospital will be allocated from the FY 2008 Medicaid appropriation.

108 35 Sec. 100. 2007 Iowa Acts, chapter 215, section 15, is  
 109 1 amended by adding the following new subsection:  
 109 2 NEW SUBSECTION . 16. The amount distributed to the state  
 109 3 psychiatric hospital administered by the state board of  
 109 4 regents from the appropriation in this section shall be  
 109 5 reduced to zero.

CODE: Specifies the FY 2008 salary funding for the Psychiatric Hospital at the University of Iowa is eliminated.

109 6 Sec. 101. 2007 Iowa Acts, chapter 218, section 11,  
 109 7 unnumbered paragraph 2, is amended to read as follows:  
 109 8 For medical assistance reimbursement and associated costs  
 109 9 as specifically provided in the reimbursement methodologies in  
 109 10 effect on June 30, 2007, except as otherwise expressly  
 109 11 authorized by law, including reimbursement for abortion  
 109 12 services, which shall be available under the medical  
 109 13 assistance program only for those abortions which are  
 109 14 medically necessary:  
 109 15 ..... \$ 646,771,820

CODE: General Fund Medical Assistance supplemental appropriation for FY 2008 of \$14,821,954 for:

- \$7,321,954 to the DHS to be used for the State share of the Disproportionate Share payment and the IowaCare Account. The funds are available as a result of the reduction of the FY 2008 University of Iowa Psychiatric Hospital appropriation in this Bill.
- \$7,500,000 supplemental appropriation for the Medicaid program.



109 16 631,593,774

109 17 Sec. 102. 2007 Iowa Acts, chapter 218, section 11, is  
109 18 amended by adding the following new subsections:  
109 19 NEW SUBSECTION . 17. a. Of the funds appropriated in this  
109 20 section, \$2,797,719 is allocated for state match for  
109 21 disproportionate share hospital payment of \$7,321,954 to  
109 22 hospitals that meet both of the following conditions:  
109 23 (1) The hospital qualifies for disproportionate share and  
109 24 graduate medical education payments.  
109 25 (2) The hospital is an Iowa state-owned hospital with more  
109 26 than 500 beds and eight or more distinct residency specialty  
109 27 or subspecialty programs recognized by the American college of  
109 28 graduate medical education.  
109 29 b. Distribution of the disproportionate share payment  
109 30 shall be made on a monthly basis. The total amount of  
109 31 disproportionate share payments including graduate medical  
109 32 education, enhanced disproportionate share, and Iowa  
109 33 state-owned teaching hospital payments shall not exceed the  
109 34 amount of the state's allotment under Pub. L. No. 102=234. In  
109 35 addition, the total amount of all disproportionate share  
110 1 payments shall not exceed the hospital-specific  
110 2 disproportionate share limits under Pub. L. No. 103=66.  
110 3 NEW SUBSECTION . 18. Of the funds appropriated in this  
110 4 section, \$4,524,235 is transferred to the IowaCare account  
110 5 created in section 249J.24 for the fiscal year beginning July  
110 6 1, 2007, and ending June 30, 2008.  
110 7 NEW SUBSECTION . 19. The department shall immediately  
110 8 notify the governor and the general assembly of any changes in  
110 9 federal policies or application of policies that impact the  
110 10 distribution of hospital disproportionate share payments.

CODE: Requires \$2,797,719 of the funds appropriated for the FY 2008 Medicaid appropriation to be allocated for the State match for Disproportionate Share Payments and \$4,524,235 is to be transferred to the IowaCare Account.

110 11 Sec. 103. 2007 Iowa Acts, chapter 218, section 73,  
110 12 subsection 2, is amended to read as follows:  
110 13 2. There is appropriated from the IowaCare account created  
110 14 in section 249J.24 to the state board of regents for

CODE: IowaCare Account supplemental appropriation of \$15,684,211 for FY 2008 to the Board of Regents for the IowaCare Program.

110 15 distribution to the university of Iowa hospitals and clinics  
 110 16 for the fiscal year beginning July 1, 2007, and ending June  
 110 17 30, 2008, the following amount, or so much thereof as is  
 110 18 necessary, to be used for the purposes designated:  
 110 19 For salaries, support, maintenance, equipment, and  
 110 20 miscellaneous purposes, for the provision of medical and  
 110 21 surgical treatment of indigent patients, for provision of  
 110 22 services to members of the expansion population pursuant to  
 110 23 chapter 249J, and for medical education:

110 24 ..... \$ ~~10,000,000~~

110 25 25,684,211

110 26 The amount appropriated in this subsection shall be  
 110 27 distributed only if expansion population claims adjudicated  
 110 28 and paid by the Iowa Medicaid enterprise exceed the  
 110 29 appropriation to the state board of regents for distribution  
 110 30 to the university of Iowa hospitals and clinics provided in  
 110 31 subsection 1. The amount appropriated in this subsection  
 110 32 shall be distributed monthly for expansion population claims  
 110 33 adjudicated and approved for payment by the Iowa Medicaid  
 110 34 enterprise using medical assistance program reimbursement  
 110 35 rates.

111 1 Notwithstanding section 8.33, moneys appropriated in this  
 111 2 subsection that remain unencumbered or unobligated at the  
 111 3 close of the fiscal year shall not revert but shall remain  
 111 4 available for expenditure for the purposes designated until  
 111 5 the close of the succeeding fiscal year.

111 6 Sec. 104. EFFECTIVE DATE == RETROACTIVE APPLICABILITY.  
 111 7 This division of this Act, being deemed of immediate  
 111 8 importance, takes effect upon enactment and is retroactively  
 111 9 applicable to December 21, 2007.

The Sections relating to the FY 2008 changes to the University of Iowa's Psychiatric Hospital appropriations and IowaCare Program appropriation are effective on enactment and are retroactive to December 21, 2007.

111 10 DIVISION VII  
 111 11 CODE CHANGES

111 12 Sec. 105. Section 28.9, subsection 5, Code 2007, is

CODE: Changes the name of the Community Empowerment Gifts

111 13 amended to read as follows:  
 111 14 5. A ~~community empowerment gifts and grants~~ first years  
 111 15 first account is created in the Iowa empowerment fund under  
 111 16 the authority of the department of management. The account  
 111 17 shall consist of gift or grant moneys obtained from any  
 111 18 source, including but not limited to the federal government.  
 111 19 Moneys credited to the account are appropriated to the  
 111 20 department of management to be used for the community  
 111 21 empowerment-related purposes for which the moneys were  
 111 22 received.

and Grants Account to the First Years First Account.

111 23 Sec. 106. Section 135.22B, subsections 3 and 4, Code  
 111 24 Supplement 2007, are amended to read as follows:  
 111 25 3. PURPOSE. The purpose of the brain injury services  
 111 26 program is to provide services, service funding, or other  
 111 27 support for persons with a brain injury under ~~one of the~~  
 111 28 cost=share program component or other components established  
 111 29 pursuant to this section. Implementation of the cost=share  
 111 30 component or any other component of the program is subject to  
 111 31 the funding made available for the program.  
 111 32 ~~4. GENERAL REQUIREMENTS -- WAIVER-ELIGIBLE COMPONENT.~~  
 111 33 ~~a. The component of the brain injury services program for~~  
 111 34 ~~persons eligible for the brain injury services waiver is~~  
 111 35 ~~subject to the requirements provided in this subsection.~~  
 112 1 ~~b. If a person is eligible for the brain injury services~~  
 112 2 ~~waiver and is on the waiting list for the waiver but the~~  
 112 3 ~~appropriation for the medical assistance program does not have~~  
 112 4 ~~sufficient funding designated to pay the nonfederal share of~~  
 112 5 ~~the costs to remove the person from the waiting list, the~~  
 112 6 ~~brain injury services program may provide the funding for the~~  
 112 7 ~~nonfederal share of the costs in order for the person to be~~  
 112 8 ~~removed from the waiting list and receive services under the~~  
 112 9 ~~waiver.~~  
 112 10 ~~c. A person who receives support under the waiver=eligible~~  
 112 11 ~~component is not eligible to receive support under the~~  
 112 12 ~~cost=share component of the program.~~  
 112 13 ~~d. Provision of funding under the waiver=eligible~~

CODE: Eliminates the waiver-eligible portion of the Brain Injury Cost Share Services Program in the Department of Public Health. Limits the implementation of the Cost Share Program to available funding. Funding for the Cost Share Program is not provided for FY 2009. Funding for the Brain Injury Waivers in the Brain Injury Services Program of the Department of Public Health has been added to the Medical Assistance Program (Medicaid) in the Department of Human Services for FY 2009 for continued funding of the Brain Injury Waiver.

112 14 ~~component is not an entitlement. Subject to the department of~~  
112 15 ~~human services requirements for the brain injury services~~  
112 16 ~~waiver waiting list, the program administrator shall make the~~  
112 17 ~~final determination whether funding will be authorized under~~  
112 18 ~~this component.~~

112 19 Sec. 107. Section 135.22B, subsection 5, unnumbered  
112 20 paragraph 1, Code Supplement 2007, is amended to read as  
112 21 follows:  
112 22 The cost=share component of the brain injury services  
112 23 program shall be directed to persons who have been determined  
112 24 to be ineligible for the brain injury services waiver or  
112 25 persons who are eligible for the waiver but funding was not  
112 26 authorized or available to provide waiver eligibility for the  
112 27 persons ~~under the waiver=eligible component~~. The cost=share  
112 28 component is subject to general requirements which shall  
112 29 include but are not limited to all of the following:

CODE: Eliminates the waiver-eligible portion of the Brain Injury Cost Share Services Program in the Department of Public Health. Funding for the Brain Injury Waivers has been added to the Medical Assistance Program (Medicaid) in the Department of Human Services.

112 30 Sec. 108. Section 135.22B, subsection 8, paragraph a, Code  
112 31 Supplement 2007, is amended to read as follows:  
112 32 a. The application materials for services under ~~both the~~  
112 33 ~~waiver=eligible and cost=share components~~ component of the  
112 34 brain injury services program shall use the application form  
112 35 and other materials of the brain injury services waiver. In  
113 1 order to apply for the brain injury services program, the  
113 2 applicant must authorize the department of human services to  
113 3 provide the applicant's waiver application materials to the  
113 4 brain injury services program. The application materials  
113 5 provided shall include but are not limited to the waiver  
113 6 application and any denial letter, financial assessment, and  
113 7 functional assessment regarding the person.

CODE: Eliminates the waiver-eligible portion of the Brain Injury Cost Share Services Program in the Department of Public Health. Funding for the Brain Injury Waivers has been added to the Medical Assistance Program (Medicaid) in the Department of Human Services.

113 8 Sec. 109. NEW SECTION. 135.155 EARLY CHILDHOOD IOWA  
113 9 COUNCIL.  
113 10 1. COUNCIL CREATED. An early childhood Iowa council is

CODE: Establishes an Early Childhood Iowa Advisory Council in the Department of Public Health.

113 11 created as an alliance of stakeholders in early care, health,  
113 12 and education systems that affect children ages zero through  
113 13 five in Iowa.

113 14 2. PURPOSE. The purpose of the early childhood Iowa  
113 15 council is to oversee the development of an Iowa early  
113 16 childhood system by integrating the early care, health, and  
113 17 education systems addressing the needs of children ages zero  
113 18 through five and their families. The council shall advise the  
113 19 governor, general assembly, and public and private policy  
113 20 bodies and service providers in coordinating activities  
113 21 throughout the state to fulfill its purpose.

113 22 3. VISION STATEMENT. All system development activities  
113 23 addressed by the early childhood Iowa council shall be aligned  
113 24 around the following vision statement for the children of  
113 25 Iowa: "Every child, beginning at birth, will be healthy and  
113 26 successful."

113 27 4. MEMBERSHIP. The early childhood Iowa council  
113 28 membership shall include a representative of any organization  
113 29 that touches the lives of young children in the state ages  
113 30 zero through five, has endorsed the purpose and vision  
113 31 statement for the council, has endorsed the guiding principles  
113 32 adopted by the council for the early childhood system, and has  
113 33 formally asked to be a member and remains actively engaged in  
113 34 council activities. The council shall work to ensure there is  
113 35 geographic, cultural, and ethnic diversity among the  
114 1 membership.

114 2 5. PROCEDURE. Except as otherwise provided by law, the  
114 3 early childhood Iowa council shall determine its own rules of  
114 4 procedure and operating provisions.

114 5 6. STEERING COMMITTEE. The early childhood Iowa council  
114 6 shall operate with a steering committee to organize, manage,  
114 7 and coordinate the activities of the council and its component  
114 8 groups. The steering committee may act on behalf of the  
114 9 council as necessary. The steering committee membership shall  
114 10 consist of the co-chairpersons of the council's component  
114 11 groups, the chairperson of the state agency liaison team, the  
114 12 community empowerment facilitator or the facilitator's  
114 13 designee, and other leaders designated by the council.

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114 14 7. COMPONENT GROUPS. The early childhood Iowa council  
114 15 shall maintain component groups to address the key components  
114 16 of the Iowa early childhood system. Each component group  
114 17 shall have one private and one public agency co-chairperson.  
114 18 The council may change the component groups as deemed  
114 19 necessary by the advisory council. Initially, there shall be  
114 20 a component group for each of the following:  
114 21 a. Governance planning and administration.  
114 22 b. Professional development.  
114 23 c. Public engagement.  
114 24 d. Quality services and programs.  
114 25 e. Resources and funding.  
114 26 f. Results accountability.

114 27 8. STATE AGENCY LIAISON TEAM. A state agency liaison team  
114 28 shall provide input into the efforts of the early childhood  
114 29 Iowa council. In addition to designees of the governor, the  
114 30 team shall consist of the directors or chief administrators,  
114 31 or their designees, from the following state agencies and  
114 32 programs:  
114 33 a. Child health specialty clinics.  
114 34 b. Office of community empowerment in the department of  
114 35 management.  
115 1 c. Department of education.  
115 2 d. Division of libraries and information services of the  
115 3 department of education.  
115 4 e. Office of the governor.  
115 5 f. Department of human rights.  
115 6 g. Department of human services.  
115 7 h. Postsecondary education institutions, including but not  
115 8 limited to institutions of higher learning under the control  
115 9 of the state board of regents and Iowa community colleges.  
115 10 i. Department of public health.

115 11 9. DUTIES. In addition to the advisory function specified  
115 12 in subsection 2, the early childhood Iowa council's duties  
115 13 shall include but are not limited to all of the following  
115 14 regarding the Iowa early childhood system:  
115 15 a. Coordinate the development and implementation of a  
115 16 strategic plan.

115 17 b. Assist in the development of responsibilities across  
115 18 agencies and other entities to achieve strategic goals.  
115 19 c. Work with the Iowa empowerment board in developing  
115 20 public=private partnerships to support the early childhood  
115 21 system through the first years first account in the Iowa  
115 22 empowerment fund and other efforts for expanding investment of  
115 23 private funding in the early childhood system. As this and  
115 24 similar efforts to expand and coordinate investments from all  
115 25 public and private sources evolve and mature, make  
115 26 recommendations for designation of or contracting with a  
115 27 private nonprofit organization to serve as a fiscal agent for  
115 28 the early childhood system or another approach for increasing  
115 29 public and private investment in the system.  
115 30 d. Report annually by December 31 to the governor and  
115 31 general assembly. The report content shall include but is not  
115 32 limited to all of the following:  
115 33 (1) The status and results of the council's efforts to  
115 34 engage the public regarding the early care, health, and  
115 35 education needs of children ages zero through five and the  
116 1 efforts to develop and promote private sector involvement with  
116 2 the early childhood system.  
116 3 (2) The status of the community empowerment initiative and  
116 4 the overall early childhood system in achieving the following  
116 5 initial set of desired results identified in section 28.2:  
116 6 (a) Healthy children.  
116 7 (b) Children ready to succeed in school.  
116 8 (c) Safe and supportive communities.  
116 9 (d) Secure and nurturing families.  
116 10 (e) Secure and nurturing early care and education  
116 11 environments.

116 12 Sec. 110. NEW SECTION . 135.156 LEAD AGENCY AND OTHER  
116 13 STATE AGENCIES.

116 14 1. The lead agency for support of the early childhood Iowa  
116 15 council for state agency efforts to develop an early childhood  
116 16 system for Iowa shall be the department of public health.  
116 17 2. The department shall work with the early childhood Iowa

CODE: Requires the Department of Public Health to be the State  
agency responsible for the Early Childhood Iowa Council.

116 18 council in integrating early care, health, and education  
116 19 systems to develop an early childhood system for Iowa. The  
116 20 department shall do all of the following in developing the  
116 21 system:  
116 22     a. Work with state agencies to enter into memorandums of  
116 23 understanding outlining the agencies' responsibilities in the  
116 24 system.  
116 25     b. Work with private businesses, foundations, and  
116 26 nonprofit organizations in implementing a public=private  
116 27 partnership to develop and provide funding for the system.  
116 28     c. Maintain an internet site for distributing the  
116 29 information provided through the council and its component  
116 30 groups.

116 31     Sec. 111. Section 135B.34, Code 2007, is amended by  
116 32 striking the section and inserting in lieu thereof the  
116 33 following:  
116 34     135B.34 HOSPITAL EMPLOYEES == CRIMINAL HISTORY AND ABUSE  
116 35 RECORD CHECKS == PENALTY.

117 1     1. Prior to employment of a person in a hospital, the  
117 2 hospital shall request that the department of public safety  
117 3 perform a criminal history check and the department of human  
117 4 services perform child and dependent adult abuse record checks  
117 5 of the person in this state. A hospital shall inform all  
117 6 persons prior to employment regarding the performance of the  
117 7 records checks and shall obtain, from the persons, a signed  
117 8 acknowledgment of the receipt of the information. A hospital  
117 9 shall include the following inquiry in an application for  
117 10 employment: "Do you have a record of founded child or  
117 11 dependent adult abuse or have you ever been convicted of a  
117 12 crime, in this state or any other state?"  
117 13     2. a. If it is determined that a person being considered  
117 14 for employment in a hospital has committed a crime, the  
117 15 department of public safety shall notify the hospital that  
117 16 upon the request of the hospital the department of human  
117 17 services will perform an evaluation to determine whether the  
117 18 crime warrants prohibition of the person's employment in the

CODE: Requires hospitals to obtain criminal and abuse background checks for hospital employees.



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117 19 hospital.

117 20   b. If a department of human services child or dependent  
117 21 adult abuse record check shows that the person has a record of  
117 22 founded child or dependent adult abuse, the department of  
117 23 human services shall notify the hospital that upon the request  
117 24 of the hospital the department of human services will perform  
117 25 an evaluation to determine whether the founded child or  
117 26 dependent adult abuse warrants prohibition of the person's  
117 27 employment in the hospital.

117 28   c. An evaluation performed under this subsection shall be  
117 29 performed in accordance with procedures adopted for this  
117 30 purpose by the department of human services.

117 31   d. (1) If a person owns or operates more than one  
117 32 hospital, and an employee of one of such hospitals is  
117 33 transferred to another such hospital without a lapse in  
117 34 employment, the hospital is not required to request additional  
117 35 criminal and child and dependent adult abuse records checks of  
118 1 that employee.

118 2   (2) If the ownership of a hospital is transferred, at the  
118 3 time of transfer the records checks required by this section  
118 4 shall be performed for each employee for whom there is no  
118 5 documentation that such records checks have been performed.  
118 6 The hospital may continue to employ such employee pending the  
118 7 performance of the records checks and any related evaluation.

118 8   3. In an evaluation, the department of human services  
118 9 shall consider the nature and seriousness of the crime or  
118 10 founded child or dependent adult abuse in relation to the  
118 11 position sought or held, the time elapsed since the commission  
118 12 of the crime or founded child or dependent adult abuse, the  
118 13 circumstances under which the crime or founded child or  
118 14 dependent adult abuse was committed, the degree of  
118 15 rehabilitation, the likelihood that the person will commit the  
118 16 crime or founded child or dependent adult abuse again, and the  
118 17 number of crimes or founded child or dependent adult abuses  
118 18 committed by the person involved. If the department of human  
118 19 services performs an evaluation for the purposes of this  
118 20 section, the department of human services has final authority  
118 21 in determining whether prohibition of the person's employment

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118 22 is warranted.

118 23 4. a. Except as provided in paragraph "b" and subsection  
118 24 2, a person who has committed a crime or has a record of  
118 25 founded child or dependent adult abuse shall not be employed  
118 26 in a hospital licensed under this chapter unless an evaluation  
118 27 has been performed by the department of human services.

118 28 b. A person with a criminal or abuse record who is  
118 29 employed by a hospital licensed under this chapter and is  
118 30 hired by another licensee without a lapse in employment shall  
118 31 be subject to the criminal history and abuse record checks  
118 32 required pursuant to subsection 1. If an evaluation was  
118 33 previously performed by the department of human services  
118 34 concerning the person's criminal or abuse record and it was  
118 35 determined that the record did not warrant prohibition of the  
119 1 person's employment and the latest record checks do not  
119 2 indicate a crime was committed or founded abuse record was  
119 3 entered subsequent to that evaluation, the person may commence  
119 4 employment with the other licensee while the department of  
119 5 human services' evaluation of the latest record checks is  
119 6 pending. Otherwise, the requirements of paragraph "a" remain  
119 7 applicable to the person's employment.

119 8 5. a. If a person employed by a hospital that is subject  
119 9 to this section is convicted of a crime or has a record of  
119 10 founded child or dependent adult abuse entered in the abuse  
119 11 registry after the person's employment application date, the  
119 12 person shall inform the hospital of such information within  
119 13 forty=eight hours of the criminal conviction or entry of the  
119 14 record of founded child or dependent adult abuse. The  
119 15 hospital shall act to verify the information within  
119 16 forty=eight hours of notification. If the information is  
119 17 verified, the requirements of subsections 2, 3, and 4  
119 18 regarding employability and evaluations shall be applied by  
119 19 the hospital to determine whether or not the person's  
119 20 employment is continued. The hospital may continue to employ  
119 21 the person pending the performance of an evaluation by the  
119 22 department of human services to determine whether prohibition  
119 23 of the person's employment is warranted. A person who is  
119 24 required by this subsection to inform the person's employer of

119 25 a conviction or entry of an abuse record and fails to do so  
119 26 within the required period commits a serious misdemeanor.  
119 27 b. If a hospital receives credible information, as  
119 28 determined by the hospital, that a person employed by the  
119 29 hospital has been convicted of a crime or a record of founded  
119 30 child or dependent adult abuse has been entered in the abuse  
119 31 registry after employment from a person other than the  
119 32 employee and the employee has not informed the hospital of  
119 33 such information within the period required under paragraph  
119 34 "a", the hospital shall act to verify the credible information  
119 35 within forty-eight hours of receipt of the credible  
120 1 information. If the information is verified, the requirements  
120 2 of subsections 2, 3, and 4 regarding employability and  
120 3 evaluations shall be applied by the hospital to determine  
120 4 whether or not the person's employment is continued.  
120 5 c. The hospital may notify the county attorney for the  
120 6 county where the hospital is located of any violation or  
120 7 failure by an employee to notify the hospital of a criminal  
120 8 conviction or entry of an abuse record within the period  
120 9 required under paragraph "a".  
120 10 6. A hospital licensed in this state may access the single  
120 11 contact repository established by the department pursuant to  
120 12 section 135C.33 as necessary for the hospital to perform  
120 13 record checks of persons employed or being considered for  
120 14 employment by the hospital.

120 15 Sec. 112. Section 135C.33, Code 2007, is amended to read  
120 16 as follows:  
120 17 135C.33 EMPLOYEES == CHILD OR DEPENDENT ADULT ABUSE  
120 18 INFORMATION AND CRIMINAL RECORDS RECORD CHECKS ==  
EVALUATIONS  
120 19 == APPLICATION TO OTHER PROVIDERS == PENALTY .  
120 20 1. ~~Beginning July 1, 1997, prior~~ Prior to employment of a  
120 21 person in a facility, the facility shall request that the  
120 22 department of public safety perform a criminal history check  
120 23 and the department of human services perform a child and  
120 24 dependent adult abuse record ~~check~~ checks of the person in

CODE: Requires criminal and abuse background checks for certain health care employees.

120 25 this state. In addition, the facility may request that the  
120 26 department of human services perform a child abuse record  
120 27 check in this state. Beginning July 1, 1997, a A facility  
120 28 shall inform all persons prior to employment regarding the  
120 29 performance of the records checks and shall obtain, from the  
120 30 persons, a signed acknowledgment of the receipt of the  
120 31 information. ~~Additionally, a~~ A facility shall include the  
120 32 following inquiry in an application for employment: "Do you  
120 33 have a record of founded child or dependent adult abuse or  
120 34 have you ever been convicted of a crime, in this state or any  
120 35 other state?"

121 1 2. a. If the it is determined that a person being  
121 2 considered for employment in a facility has been convicted of  
121 3 a crime under a law of any state or has a record of founded  
121 4 child or dependent adult abuse , the department of public  
121 5 safety shall notify the licensee that upon the request of the  
121 6 licensee the department of human services shall, upon the  
121 7 facility's request, perform an evaluation will perform an  
121 8 evaluation to determine whether the crime or founded child or  
121 9 dependent adult abuse warrants prohibition of the person's  
121 10 employment in the facility.

121 11 b. If a department of human services child or dependent  
121 12 adult abuse record check shows that such person has a record  
121 13 of founded child or dependent adult abuse, the department of  
121 14 human services shall notify the licensee that upon the request  
121 15 of the licensee the department of human services will perform  
121 16 an evaluation to determine whether the founded child or  
121 17 dependent adult abuse warrants prohibition of employment in  
121 18 the facility.

121 19 c. The An evaluation performed under this subsection shall  
121 20 be performed in accordance with procedures adopted for this  
121 21 purpose by the department of human services.

121 22 d. (1) If a person owns or operates more than one  
121 23 facility, and an employee of one of such facilities is  
121 24 transferred to another such facility without a lapse in  
121 25 employment, the facility is not required to request additional  
121 26 criminal and child and dependent adult abuse record checks of  
121 27 that employee.

121 28 (2) If the ownership of a facility is transferred, at the  
121 29 time of transfer the records checks required by this section  
121 30 shall be performed for each employee for whom there is no  
121 31 documentation that such records checks have been performed.  
121 32 The facility may continue to employ such employee pending the  
121 33 performance of the records checks and any related evaluation.  
121 34 ~~2. If the department of public safety determines that a~~  
121 35 ~~person has committed a crime and is to be employed in a~~  
122 1 ~~facility licensed under this chapter, the department of public~~  
122 2 ~~safety shall notify the licensee that an evaluation, if~~  
122 3 ~~requested by the facility, will be conducted by the department~~  
122 4 ~~of human services to determine whether prohibition of the~~  
122 5 ~~person's employment is warranted. If a department of human~~  
122 6 ~~services child or dependent adult abuse record check shows~~  
122 7 ~~that the person has a record of founded child or dependent~~  
122 8 ~~adult abuse, the department of human services shall inform the~~  
122 9 ~~licensee that an evaluation, if requested by the facility,~~  
122 10 ~~will be conducted to determine whether prohibition of the~~  
122 11 ~~person's employment is warranted.~~  
122 12 ~~3. In an evaluation, the department of human services~~  
122 13 ~~shall consider the nature and seriousness of the crime or~~  
122 14 ~~founded child or dependent adult abuse in relation to the~~  
122 15 ~~position sought or held, the time elapsed since the commission~~  
122 16 ~~of the crime or founded child or dependent adult abuse, the~~  
122 17 ~~circumstances under which the crime or founded child or~~  
122 18 ~~dependent adult abuse was committed, the degree of~~  
122 19 ~~rehabilitation, the likelihood that the person will commit the~~  
122 20 ~~crime or founded child or dependent adult abuse again, and the~~  
122 21 ~~number of crimes or founded child or dependent adult abuses~~  
122 22 ~~committed by the person involved. The~~ If the department of  
122 23 human services performs an evaluation for the purposes of this  
122 24 section, the department of human services has final authority  
122 25 in determining whether prohibition of the person's employment  
122 26 is warranted.  
122 27 4. a. Except as provided in paragraph "b" and subsection  
122 28 2 , a person who has committed a crime or has a record of  
122 29 founded child or dependent adult abuse shall not be employed  
122 30 in a facility licensed under this chapter unless an evaluation

122 31 has been performed by the department of human services. If  
122 32 ~~the department of human services determines from the~~  
122 33 ~~evaluation that the person has committed a crime or has a~~  
122 34 ~~record of founded child or dependent adult abuse which~~  
122 35 ~~warrants prohibition of employment, the person shall not be~~  
123 1 ~~employed in a facility licensed under this chapter.~~  
123 2 b. A person with a criminal or abuse record who is  
123 3 employed by a facility licensed under this chapter and is  
123 4 hired by another licensee without a lapse in employment shall  
123 5 be subject to the criminal history and abuse record checks  
123 6 required pursuant to subsection 1. If an evaluation was  
123 7 previously performed by the department of human services  
123 8 concerning the person's criminal or abuse record and it was  
123 9 determined that the record did not warrant prohibition of the  
123 10 person's employment and the latest record checks do not  
123 11 indicate a crime was committed or founded abuse record was  
123 12 entered subsequent to that evaluation, the person may commence  
123 13 employment with the other licensee while the department of  
123 14 human services' evaluation of the latest record checks is  
123 15 pending. Otherwise, the requirements of paragraph "a" remain  
123 16 applicable to the person's employment.  
123 17 5. ~~a. Beginning July 1, 1998, this~~ This section shall  
123 18 ~~also~~ apply to prospective employees of all of the following,  
123 19 if the provider is regulated by the state or receives any  
123 20 state or federal funding:  
123 21 ~~a. (1)~~ An employee of a homemaker, home=health aide,  
123 22 home=care aide, adult day services, or other provider of  
123 23 in=home services if the employee provides direct services to  
123 24 consumers.  
123 25 ~~b. (2)~~ An employee of a hospice, if the employee provides  
123 26 direct services to consumers.  
123 27 ~~c. (3)~~ An employee who provides direct services to  
123 28 consumers under a federal home and community=based services  
123 29 waiver.  
123 30 ~~d. (4)~~ An employee of an elder group home certified under  
123 31 chapter 231B, if the employee provides direct services to  
123 32 consumers.  
123 33 ~~e. (5)~~ An employee of an assisted living program

123 34 certified under chapter 231C, if the employee provides direct  
123 35 services to consumers.

124 1 b. In substantial conformance with the provisions of this  
124 2 section, prior to the employment of such an employee, the  
124 3 provider shall request the performance of the criminal and  
124 4 child and dependent adult abuse record checks and may request  
124 5 the performance of the child abuse record checks . The  
124 6 provider shall inform the prospective employee and obtain the  
124 7 prospective employee's signed acknowledgment. The department  
124 8 of human services shall perform the evaluation of any criminal  
124 9 record or founded child or dependent adult abuse record and  
124 10 shall make the determination of whether a prospective employee  
124 11 of a provider shall not be employed by the provider.

124 12 6. a. The department of inspections and appeals, in  
124 13 conjunction with other departments and agencies of state  
124 14 government involved with criminal history and abuse registry  
124 15 information, shall establish a single contact repository for  
124 16 facilities and other providers to have electronic access to  
124 17 data to perform background checks for purposes of employment,  
124 18 as required of the facilities and other providers under this  
124 19 section.

124 20 b. The department may access the single contact repository  
124 21 for any of the following purposes:

124 22 (1) To verify data transferred from the department's nurse  
124 23 aide registry to the repository.

124 24 (2) To conduct record checks of applicants for employment  
124 25 with the department.

124 26 7. a. If a person employed by a facility, service, or  
124 27 program employer that is subject to this section is convicted  
124 28 of a crime or has a record of founded child or dependent adult  
124 29 abuse entered in the abuse registry after the person's  
124 30 employment application date, the person shall inform the  
124 31 employer of such information within forty-eight hours of the  
124 32 criminal conviction or entry of the record of founded child or  
124 33 dependent adult abuse. The employer shall act to verify the  
124 34 information within forty-eight hours of notification. If the  
124 35 information is verified, the requirements of subsections 2, 3,  
125 1 and 4 regarding employability and evaluations shall be applied

125 2 by the employer to determine whether or not the person's  
 125 3 employment is continued. The employer may continue to employ  
 125 4 the person pending the performance of an evaluation by the  
 125 5 department of human services to determine whether prohibition  
 125 6 of the person's employment is warranted. A person who is  
 125 7 required by this subsection to inform the person's employer of  
 125 8 a conviction or entry of an abuse record and fails to do so  
 125 9 within the required period commits a serious misdemeanor.  
 125 10 b. If a facility, service, or program employer receives  
 125 11 credible information, as determined by the employer, that a  
 125 12 person employed by the employer has been convicted of a crime  
 125 13 or a record of founded child or dependent adult abuse has been  
 125 14 entered in the abuse registry after employment from a person  
 125 15 other than the employee and the employee has not informed the  
 125 16 employer of such information within the period required under  
 125 17 paragraph "a", the employer shall act to verify the credible  
 125 18 information within forty-eight hours of receipt of the  
 125 19 credible information. If the information is verified, the  
 125 20 requirements of subsections 2, 3, and 4 regarding  
 125 21 employability and evaluations shall be applied to determine  
 125 22 whether or not the person's employment is continued.  
 125 23 c. The employer may notify the county attorney for the  
 125 24 county where the employer is located of any violation or  
 125 25 failure by an employee to notify the employer of a criminal  
 125 26 conviction or entry of an abuse record within the period  
 125 27 required under paragraph "a".

125 28 Sec. 113. Section 217.19, Code 2007, is amended by adding  
 125 29 the following new unnumbered paragraph:  
 125 30 NEW UNNUMBERED PARAGRAPH . The department of administrative  
 125 31 services shall work with the department of human services to  
 125 32 develop and implement an expense policy applicable to the  
 125 33 members of a board, commission, committee, or other body under  
 125 34 the auspices of the department of human services who meet the  
 125 35 income requirements for payment of per diem in accordance with  
 126 1 section 7E.6, subsection 2. The policy shall allow for the  
 126 2 payment of the member's expenses to be addressed through use

CODE: Requires the Department of Administrative Services and the  
 DHS to develop a policy to provide certain members of boards and  
 commissions with prepayment of certain planned expenditures.



126 3 of direct billings, travel purchase card, prepaid expenses, or  
126 4 other alternative means of addressing the expenses in lieu of  
126 5 reimbursement of the member.

126 6 Sec. 114. Section 225C.40, Code 2007, is amended by adding  
126 7 the following new subsection:  
126 8 NEW SUBSECTION . 4. If a family appeals the termination of  
126 9 a family member who has attained the age of eighteen years,  
126 10 family support subsidy payments for that family member shall  
126 11 be withheld pending resolution of the appeal.

CODE: Suspends family support subsidy payments pending resolution of an appeal.

126 12 Sec. 115. NEW SECTION . 234.47 STATE CHILD CARE  
126 13 ASSISTANCE AND ADOPTION SUBSIDY PROGRAMS == EXPENDITURE  
126 14 PROJECTIONS. The department of human services, the department  
126 15 of management, and the legislative services agency shall  
126 16 utilize a joint process to arrive at consensus projections for  
126 17 expenditures for the state child care assistance program under  
126 18 section 237A.13 and adoption subsidy and other assistance  
126 19 provided under section 600.17.

CODE: Requires the Department of Human Services, the Department of Management, and the Legislative Services Agency to utilize a joint process to arrive at an estimate for child care expenditures and adoption subsidy and other assistance.

126 20 Sec. 116. Section 235B.6, subsection 2, Code Supplement  
126 21 2007, is amended by adding the following new paragraph:  
126 22 NEW PARAGRAPH . f. To a person who submits written  
126 23 authorization from an individual allowing the person access to  
126 24 information on the determination only on whether or not the  
126 25 individual who authorized the access is named in a founded  
126 26 dependent adult abuse report as having abused a dependent  
126 27 adult.

CODE: Adds certain persons to those authorized access to dependent adult abuse information.

126 28 Sec. 117. Section 235B.19, subsection 3, paragraph c, Code  
126 29 2007, is amended to read as follows:  
126 30 c. Order the provision of other available services  
126 31 necessary to remove conditions creating the danger to health  
126 32 or safety, including the services of peace officers or  
126 33 emergency services personnel and the suspension of the powers

CODE: Permits the use of necessary services to remove conditions creating danger for a dependent.

126 34 granted to a guardian or conservator and the subsequent  
126 35 appointment of a new temporary guardian or new temporary  
127 1 conservator pursuant to subsection 4 pending a decision by the  
127 2 court on whether the powers of the initial guardian or  
127 3 conservator should be reinstated or whether the initial  
127 4 guardian or conservator should be removed .

127 5 Sec. 118. Section 235B.19, subsection 4, Code 2007, is  
127 6 amended to read as follows:  
127 7 4. a. Notwithstanding ~~section~~ sections 633.552 and  
127 8 633.573, upon a finding that there is probable cause to  
127 9 believe that the dependent adult abuse presents an immediate  
127 10 danger to the health or safety of the dependent adult or is  
127 11 producing irreparable harm to the physical or financial  
127 12 resources or property of the dependent adult, and that the  
127 13 dependent adult lacks capacity to consent to the receipt of  
127 14 services, the court may order the appointment of a temporary  
127 15 guardian or temporary conservator without notice to the  
127 16 dependent adult or the dependent adult's attorney if all of  
127 17 the following conditions are met:  
127 18 (1) It clearly appears from specific facts shown by  
127 19 affidavit or by the verified petition that a dependent adult's  
127 20 decision-making capacity is so impaired that the dependent  
127 21 adult is unable to care for the dependent adult's personal  
127 22 safety or to attend to or provide for the dependent adult's  
127 23 basic necessities or that immediate and irreparable injury,  
127 24 loss, or damage will result to the physical or financial  
127 25 resources or property of the dependent adult before the  
127 26 dependent adult or the dependent adult's attorney can be heard  
127 27 in opposition.  
127 28 (2) The department certifies to the court in writing any  
127 29 efforts the department has made to give the notice or the  
127 30 reasons supporting the claim that notice should not be  
127 31 required.  
127 32 (3) The department files with the court a request for a  
127 33 hearing on the petition for the appointment of a temporary  
127 34 guardian or temporary conservator.

CODE: Permits the appointment of a temporary guardian in instances where a dependent adult lacks the capacity to consent to the receipt of services.

127 35 (4) The department certifies that the notice of the  
128 1 petition, order, and all filed reports and affidavits will be  
128 2 sent to the dependent adult by personal service within the  
128 3 time period the court directs but not more than seventy-two  
128 4 hours after entry of the order of appointment.  
128 5 b. An order of appointment of a temporary guardian or  
128 6 temporary conservator entered by the court under paragraph "a"  
128 7 shall expire as prescribed by the court but within a period of  
128 8 not more than thirty days unless extended by the court for  
128 9 good cause.  
128 10 c. A hearing on the petition for the appointment of a  
128 11 temporary guardian or temporary conservator shall be held  
128 12 within the time specified in paragraph "b". If the department  
128 13 does not proceed with a hearing on the petition, the court, on  
128 14 the motion of any party or on its own motion, may dismiss the  
128 15 petition.

128 16 Sec. 119. Section 237A.3, Code 2007, is amended by adding  
128 17 the following new subsection:  
128 18 NEW SUBSECTION . 3. The location at which the child care  
128 19 is provided shall be a single-family residence that is owned,  
128 20 rented, or leased by the person or program providing the child  
128 21 care. For purposes of this subsection, a "single-family  
128 22 residence" includes an apartment, condominium, townhouse, or  
128 23 other individual unit within a multiple unit residential  
128 24 dwelling, but does not include a commercial or industrial  
128 25 building that is primarily used for purposes other than a  
128 26 residence.

CODE: Adds single family residence to the definition of child care homes.

128 27 Sec. 120. Section 237A.3A, subsection 3, Code 2007, is  
128 28 amended by adding the following new paragraph:  
128 29 NEW PARAGRAPH . d. The rules shall require a child  
128 30 development home to be located in a single-family residence  
128 31 that is owned, rented, or leased by the person or, for dual  
128 32 registrations, at least one of the persons who is named on the  
128 33 child development home's certificate of registration. For

CODE: Provides statutory requirements related to single family homes used as child development homes.

128 34 purposes of this paragraph, a "single=family residence"  
128 35 includes an apartment, condominium, townhouse, or other  
129 1 individual unit within a multiple unit residential dwelling,  
129 2 but does not include a commercial or industrial building that  
129 3 is primarily used for purposes other than a residence.

129 4 Sec. 121. Section 237A.5, subsection 2, Code 2007, is  
129 5 amended by adding the following new paragraph:  
129 6 NEW PARAGRAPH . cc. If a record check performed in  
129 7 accordance with paragraph "b" or "c" identifies that an  
129 8 individual is a person subject to an evaluation, the  
129 9 department shall perform the evaluation in accordance with  
129 10 this subsection, even if the application which made the person  
129 11 subject to the record check is withdrawn or the circumstances  
129 12 which made the person subject to the record check are no  
129 13 longer applicable. If the department's evaluation determines  
129 14 that prohibition of the person's involvement with child care  
129 15 is warranted, the provisions of this subsection regarding such  
129 16 a prohibition shall apply.

CODE: Adds additional requirements for the Department of Human Services related to record checks for personnel employed at child care centers.

129 17 Sec. 122. Section 237A.13, subsection 8, Code Supplement  
129 18 2007, is amended by striking the subsection.

CODE: Repeals statutory language related to wraparound funding for child care facilities.

129 19 Sec. 123. NEW SECTION . 249A.15A LICENSED MARITAL AND  
129 20 FAMILY THERAPISTS AND LICENSED MASTER SOCIAL WORKERS.  
129 21 1. The department shall adopt rules pursuant to chapter  
129 22 17A entitling marital and family therapists who are licensed  
129 23 pursuant to chapter 154D to payment for behavioral health  
129 24 services provided to recipients of medical assistance, subject  
129 25 to limitations and exclusions the department finds necessary  
129 26 on the basis of federal laws and regulations.  
129 27 2. The department shall adopt rules pursuant to chapter  
129 28 17A entitling master social workers who hold a master's degree  
129 29 approved by the board of social work, are licensed as a master  
129 30 social worker pursuant to section 154C.3, subsection 1,

CODE: Requires the Department of Human Services to adopt rules making licensed marital and family therapists and licensed social workers eligible for payment for behavioral health services under Medicaid.

129 31 paragraph "b", and provide treatment services under the  
129 32 supervision of an independent social worker licensed pursuant  
129 33 to section 154C.3, subsection 1, paragraph "c", to payment for  
129 34 behavioral health services provided to recipients of medial  
129 35 assistance, subject to limitations and exclusions the  
130 1 department finds necessary on the basis of federal laws and  
130 2 regulations.

130 3 Sec. 124. NEW SECTION . 249A.36 HEALTH CARE INFORMATION  
130 4 SHARING.

130 5 1. As a condition of doing business in the state, health  
130 6 insurers including self=insured plans, group health plans as  
130 7 defined in the federal Employee Retirement Income Security Act  
130 8 of 1974, Pub. L. No. 93=406, service benefit plans, managed  
130 9 care organizations, pharmacy benefits managers, and other  
130 10 parties that are, by statute, contract, or agreement, legally  
130 11 responsible for payment of a claim for a health care item or  
130 12 service, shall do all of the following:

130 13 a. Provide, with respect to individuals who are eligible  
130 14 for or are provided medical assistance under the state's  
130 15 medical assistance state plan, upon the request of the state,  
130 16 information to determine during what period the individual or  
130 17 the individual's spouse or dependents may be or may have been  
130 18 covered by a health insurer and the nature of the coverage  
130 19 that is or was provided by the health insurer, including the  
130 20 name, address, and identifying number of the plan, in  
130 21 accordance with section 505.25, in a manner prescribed by the  
130 22 department of human services or as agreed upon by the  
130 23 department and the entity specified in this section.

130 24 b. Accept the state's right of recovery and the assignment  
130 25 to the state of any right of an individual or other entity to  
130 26 payment from the party for an item or service for which  
130 27 payment has been made under the medical assistance state plan.

130 28 c. Respond to any inquiry by the state regarding a claim  
130 29 for payment for any health care item or service that is  
130 30 submitted no later than three years after the date of the  
130 31 provision of such health care item or service.

CODE: Requires certain third party health insurers to provide certain information to the State regarding individuals covered by the insurer. Permits the Department of Human Services to adopt administrative rules for this information sharing process.

130 32 d. Agree not to deny any claim submitted by the state  
130 33 solely on the basis of the date of submission of the claim,  
130 34 the type or format of the claim form, or a failure to present  
130 35 proper documentation at the point-of-sale that is the basis of  
131 1 the claim, if all of the following conditions are met:  
131 2 (1) The claim is submitted to the entity by the state  
131 3 within the three-year period beginning on the date on which  
131 4 the item or service was furnished.  
131 5 (2) Any action by the state to enforce its rights with  
131 6 respect to such claim is commenced within six years of the  
131 7 date that the claim was submitted by the state.  
131 8 2. The department of human services may adopt rules  
131 9 pursuant to chapter 17A as necessary to implement this  
131 10 section. Rules governing the exchange of information under  
131 11 this section shall be consistent with all laws, regulations,  
131 12 and rules relating to the confidentiality or privacy of  
131 13 personal information or medical records, including but not  
131 14 limited to the federal Health Insurance Portability and  
131 15 Accountability Act of 1996, Pub. L. No. 104-191, and  
131 16 regulations promulgated in accordance with that Act and  
131 17 published in 45 C.F.R. pts. 160 through 164.

131 18 Sec. 125. Section 249J.20, subsections 2 and 4, Code 2007,  
131 19 are amended to read as follows:  
131 20 2. The council shall meet as often as deemed necessary,  
131 21 but shall meet at least ~~quarterly~~ annually. The council may  
131 22 use sources of information deemed appropriate, and the  
131 23 department and other agencies of state government shall  
131 24 provide information to the council as requested. The  
131 25 legislative services agency shall provide staff support to the  
131 26 council.  
131 27 4. The council shall do all of the following:  
131 28 a. Make ~~quarterly~~ cost projections for the medical  
131 29 assistance program and the expansion population.  
131 30 b. Review ~~quarterly~~ reports on all initiatives under this  
131 31 chapter, including those provisions in the design,  
131 32 development, and implementation phases, and make additional

CODE: Changes the required meetings of the Medical Assistance  
Projections and Assessment Council from quarterly to annually.

131 33 recommendations for medical assistance program and expansion  
131 34 population reform on an annual basis.  
131 35 c. Review annual audited financial statements relating to  
132 1 the expansion population submitted by the providers included  
132 2 in the expansion population provider network.  
132 3 d. Review ~~quarterly~~ reports on the success of the Iowa  
132 4 Medicaid enterprise based upon the contractual performance  
132 5 measures for each Iowa Medicaid enterprise partner.  
132 6 e. Assure that the expansion population is managed at all  
132 7 times within funding limitations. In assuring such  
132 8 compliance, the council shall assume that supplemental funding  
132 9 will not be available for coverage of services provided to the  
132 10 expansion population.

132 11 Sec. 126. NEW SECTION . 256.35A IOWA AUTISM COUNCIL.  
132 12 1. An Iowa autism council is created to act in an advisory  
132 13 capacity to the state in developing and implementing a  
132 14 comprehensive, coordinated system to provide appropriate  
132 15 diagnostic, intervention, and support services for children  
132 16 with autism and to meet the unique needs of adults with  
132 17 autism.  
132 18 2. a. The council shall consist of thirteen voting  
132 19 members appointed by the governor and confirmed by the senate.  
132 20 The majority of the voting members shall be individuals with  
132 21 autism or members of their families. Additionally, each of  
132 22 the following shall be represented among the voting members:  
132 23 (1) Autism diagnostic and research specialists.  
132 24 (2) Individuals with recognized expertise in utilizing  
132 25 best practices for diagnosis, intervention, education, and  
132 26 support services for individuals with autism.  
132 27 (3) Individuals providing residential services for  
132 28 individuals with autism.  
132 29 (4) Mental health professionals with background or  
132 30 expertise in a pertinent mental health field such as  
132 31 psychiatry, psychology, or behavioral health.  
132 32 (5) Private insurers.  
132 33 (6) Teachers and representatives of area education

CODE: Establishes an Iowa Autism Council in the Department of Education.

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132 34 agencies.

132 35 b. In addition, representatives of the department of

133 1 education, the division of vocational rehabilitation of the

133 2 department of education, the department of public health, the

133 3 department of human services, the governor's developmental

133 4 disabilities council, the division of insurance of the

133 5 department of commerce, and the state board of regents shall

133 6 serve as ex officio members of the advisory council. Ex

133 7 officio members shall work together in a collaborative manner

133 8 to serve as a resource to the advisory council. The council

133 9 may also form workgroups as necessary to address specific

133 10 issues within the technical purview of individual members.

133 11 c. Voting members shall serve three-year terms beginning

133 12 and ending as provided in section 69.19, and appointments

133 13 shall comply with sections 69.16 and 69.16A. Vacancies on the

133 14 council shall be filled in the same manner as the original

133 15 appointment. A person appointed to fill a vacancy shall serve

133 16 only for the unexpired portion of the term. Public members

133 17 shall receive reimbursement for actual expenses incurred while

133 18 serving in their official capacity and may also be eligible to

133 19 receive compensation as provided in section 7E.6.

133 20 d. The council shall elect a chairperson from its voting

133 21 members annually. A majority of the voting members of the

133 22 council shall constitute a quorum.

133 23 e. The department shall convene and provide administrative

133 24 support to the council.

133 25 3. The council shall focus its efforts on addressing the

133 26 unmet needs of individuals with autism at various levels of

133 27 severity and their families. The council shall address all of

133 28 the following:

133 29 a. Early identification by medical professionals of

133 30 autism, including education and training of health care and

133 31 mental health care professionals and the use of best practice

133 32 guidelines.

133 33 b. Appropriate early and intensive early intervention

133 34 services with access to models of training.

133 35 c. Integration and coordination of the medical community,

134 1 community educators, childhood educators, health care



134 2 providers, and community-based services into a seamless  
134 3 support system for individuals and their families.  
134 4 d. General and special education support services.  
134 5 e. In-home support services for families requiring  
134 6 behavioral and other supports.  
134 7 f. Training for educators, parents, siblings, and other  
134 8 family members.  
134 9 g. Enhancing of community agency responsiveness to the  
134 10 living, learning, and employment needs of adults with autism  
134 11 and provision of services including but not limited to respite  
134 12 services, crisis intervention, employment assistance, case  
134 13 management, and long-term care options.  
134 14 h. Financing options including but not limited to medical  
134 15 assistance waivers and private health insurance coverage.  
134 16 i. Data collection.  
134 17 4. The council shall meet quarterly. The council shall  
134 18 submit a report to the governor and the general assembly,  
134 19 annually by December 15, identifying the needs and making  
134 20 recommendations for improving and enhancing the lives of  
134 21 individuals with autism and their families.  
134 22 5. For the purposes of this section, "autism" means a  
134 23 spectrum disorder that includes at various levels of severity,  
134 24 autism, Asperger's disorder, pervasive developmental disorder  
134 25 not otherwise specified, Rett's syndrome, and childhood  
134 26 disintegrative disorder.

134 27 Sec. 127. Section 642.2, subsection 4, Code 2007, is  
134 28 amended to read as follows:  
134 29 4. Notwithstanding subsections 2, 3, and 6, and 7, any  
134 30 moneys owed to the child support obligor by the state, with  
134 31 the exception of unclaimed property held by the treasurer of  
134 32 state pursuant to chapter 556, and payments owed to the child  
134 33 support obligor through the Iowa public employees' retirement  
134 34 system are subject to garnishment, attachment, execution, or  
134 35 assignment by the child support recovery unit if the child  
135 1 support recovery unit is providing enforcement services  
135 2 pursuant to chapter 252B. Any moneys that are determined

CODE: Requires certain unclaimed property of the State to be included in the child support recovery determinations.

135 3 payable by the treasurer pursuant to section 556.20,  
135 4 subsection 2, to the child support obligor shall be subject to  
135 5 setoff pursuant to section 8A.504, notwithstanding any  
135 6 administrative rule pertaining to the child support recovery  
135 7 unit limiting the amount of the offset.

135 8 Sec. 128. 2005 Iowa Acts, chapter 167, section 61, is  
135 9 amended by striking the section and inserting in lieu thereof  
135 10 the following:  
135 11 SEC. 61. INMATES, STUDENTS, PATIENTS, AND FORMER INMATES  
135 12 OF STATE INSTITUTIONS == REVIEW.

135 13 1. The president of the state board of regents shall  
135 14 convene a workgroup comprised of the president or the  
135 15 president's designee, the director of the department of  
135 16 corrections or the director's designee, the director of the  
135 17 department of human services or the director's designee, and a  
135 18 representative of the university of Iowa hospitals and clinics  
135 19 to review the provision of treatment and care to the inmates,  
135 20 students, patients, and former inmates specified in sections  
135 21 263.21 and 263.22. The review shall determine all of the  
135 22 following:

135 23 a. The actual cost to the university of Iowa hospitals and  
135 24 clinics to provide care and treatment to the inmates,  
135 25 students, patients, and former inmates on an annual basis.  
135 26 The actual cost shall be determined utilizing Medicare cost  
135 27 accounting principles.

135 28 b. The number of inmates, students, patients, and former  
135 29 inmates provided treatment at the university of Iowa hospitals  
135 30 and clinics, annually.

135 31 c. The specific types of treatment and care provided to  
135 32 the inmates, students, patients, and former inmates.

135 33 d. The existing sources of revenue that may be available  
135 34 to pay for the costs of providing care and treatment to the  
135 35 inmates, students, patients, and former inmates.

136 1 e. The cost to the department of human services, the Iowa  
136 2 department of corrections, and the state board of regents to  
136 3 provide transportation and staffing relative to provision of

CODE: Requires the Board of Regents to convene a work group to review treatment and care of inmates, students, patients, and former inmates at the University of Iowa Hospitals and Clinics. Requires a report to be submitted to the Governor and General Assembly by December 31, 2008.

136 4 care and treatment to the inmates, students, patients, and  
136 5 former inmates at the university of Iowa hospitals and  
136 6 clinics.

136 7 f. The effect of any proposed alternatives for provision  
136 8 of care and treatment for inmates, students, patients, or  
136 9 former inmates, including the proposed completion of the  
136 10 hospital unit at the Iowa state penitentiary at Fort Madison.

136 11 2. The workgroup shall submit a report of its findings to  
136 12 the governor and the general assembly no later than December  
136 13 31, 2008. The report shall also include any recommendations  
136 14 for improvement in the provision of care and treatment to  
136 15 inmates, students, patients, and former inmates, under the  
136 16 control of the department of human services, the Iowa  
136 17 department of corrections, and the state board of regents.

136 18 Sec. 129. MEDICAID STATE PLAN == MARITAL AND FAMILY  
136 19 THERAPISTS AND LICENSED MASTER SOCIAL WORKERS.

136 20 1. The department of human services shall amend the  
136 21 medical assistance state plan to allow marital and family  
136 22 therapists licensed in the state to be participating  
136 23 behavioral health providers under the medical assistance  
136 24 program.

136 25 2. The department of human services shall amend the  
136 26 medical assistance state plan to allow master social workers  
136 27 who hold a master's degree approved by the board of social  
136 28 work, are licensed as a master social worker pursuant to  
136 29 section 154C.3, subsection 1, paragraph "b", and provide  
136 30 treatment services under the supervision of an independent  
136 31 social worker licensed pursuant to section 154C.3, subsection  
136 32 1, paragraph "c", to be participating behavioral health  
136 33 services providers under the medical assistance program.

Requires the Department of Human Services to amend the State Medicaid plan to include marital and family therapists in the list of participating behavioral health providers. Also requires addition of persons with a masters in social work.

136 34 DIVISION IX

136 35 TUITION ASSISTANCE == HEALTH CARE

137 1 FACILITY EMPLOYEES

137 2 Sec. 130. TUITION ASSISTANCE FOR INDIVIDUALS SERVING  
137 3 INDIVIDUALS WITH DISABILITIES == PILOT PROGRAM.

137 4 1. If the general assembly appropriates moneys for the  
137 5 establishment of a tuition assistance pilot program for  
137 6 employees of health care facilities serving adults with mental  
137 7 illness or mental retardation, the department of education, in  
137 8 consultation with the department of human services and the  
137 9 community colleges, shall establish a statewide pilot program  
137 10 to provide grants to community colleges for the purpose of  
137 11 awarding tuition assistance to individuals pursuing a course  
137 12 of study leading to a degree applicable to the health care  
137 13 workforce and employment by health care facilities that  
137 14 provide services to adults with mental illness or mental  
137 15 retardation.

137 16 2. Within the limits set by the appropriation for this  
137 17 purpose, the departments of education and human services shall  
137 18 work collaboratively to develop a system for determining the  
137 19 number of hours a student shall work in a health care facility  
137 20 in return for a percentage reduction in the student's tuition  
137 21 costs.

137 22 3. A participating community college shall enter into an  
137 23 agreement with one or more participating health care  
137 24 facilities, and may also enter into an agreement with one or  
137 25 more local nonprofit public agencies, to match state funds  
137 26 provided on a dollar=for=dollar basis for tuition assistance  
137 27 for an eligible student who is employed by a participating  
137 28 health care facility to provide services to adults with mental  
137 29 illness or mental retardation. A participating health care  
137 30 facility shall agree to provide the community college with the  
137 31 number of hours the student has accrued in order that the  
137 32 community college may determine the percentage reduction in  
137 33 the student's tuition costs.

137 34 4. The grant recipient shall compile and submit  
137 35 information regarding the program's implementation and level  
138 1 of local participation in the program in the manner prescribed  
138 2 by the department. The department shall summarize the  
138 3 information and shall submit the information and its findings

Requires the Department of Human Services to establish a tuition assistance pilot project for persons serving individuals with disabilities. This requirement is contingent on funding. Requires the pilot project to provide a grant to a community college. Specifies other requirements of the pilot project.

138 4 and recommendations in a report to the general assembly by  
138 5 January 15 of the fiscal year following the completion of the  
138 6 pilot program.

138 7 5. For purposes of this section, unless the context  
138 8 otherwise requires:

138 9 a. "Eligible student" means an individual who is a  
138 10 resident of Iowa, enrolled in a community college pursuing a  
138 11 course of study leading to a degree applicable to the health  
138 12 care workforce, and employed by a participating health care  
138 13 facility to serve adults with mental illness or mental  
138 14 retardation.

138 15 b. "Health care facility" means as defined in section  
138 16 135C.1.

138 17 c. "Participating health care facility" means a health  
138 18 care facility that has entered into an agreement with a  
138 19 community college in accordance with this section and which  
138 20 employs an eligible student.

138 21 DIVISION X

138 22 JUVENILE COURT PROCEEDINGS

138 23 Sec. 131. Section 232.2, subsection 4, paragraph e, Code  
138 24 Supplement 2007, is amended to read as follows:

138 25 e. The most recent information available regarding the  
138 26 child's health and education records, including the date the  
138 27 records were supplied to the agency or individual who is the  
138 28 child's foster care provider. If the child remains in foster  
138 29 care until the age of majority, the child is entitled to  
138 30 receive prior to discharge the most recent information  
138 31 available regarding the child's health and educational  
138 32 records.

CODE: Permits a child aging out of foster care to have access to the most recent health and education records.

138 33 Sec. 132. Section 232.46, subsection 4, Code 2007, is  
138 34 amended to read as follows:

138 35 4. A consent decree shall remain in force for ~~six months~~

CODE: Extends the consent decree timeframe from six months to one year.

139 1 up to one year unless the child is sooner discharged by the  
139 2 court or by the juvenile court officer or other agency or  
139 3 person supervising the child. Upon application of a juvenile  
139 4 court officer or other agency or person supervising the child  
139 5 made prior to the expiration of the decree and after notice  
139 6 and hearing, or upon agreement by the parties, a consent  
139 7 decree may be extended for up to an additional ~~six months~~ year  
139 8 by order of the court.

139 9 Sec. 133. Section 232.91, subsection 3, Code Supplement  
139 10 2007, is amended to read as follows:

139 11 3. Any person who is entitled under section 232.88 to  
139 12 receive notice of a hearing concerning a child shall be given  
139 13 the opportunity to be heard in any other review or hearing  
139 14 involving the child. A foster parent, relative, or other  
139 15 individual with whom a child has been placed for preadoptive  
139 16 care shall have the right to be heard in any proceeding  
139 17 involving the child. If a child is of an age appropriate to  
139 18 attend the hearing but the child does not attend, the court  
139 19 shall determine if the child was informed of the child's right  
139 20 to attend the hearing.

CODE: Permits the court to determine if a child has been informed of their right to attend a hearing.

139 21 DIVISION XI

139 22 INVESTIGATION OF DEATHS AT INSTITUTIONS

139 23 Sec. 134. NEW SECTION . 218.64 INVESTIGATION OF DEATH.

139 24 1. For the purposes of this section, unless the context  
139 25 otherwise requires, "institution" and "resident" mean the same  
139 26 as defined in section 218.13.

139 27 2. Upon the death of a resident of an institution, the  
139 28 county medical examiner shall conduct a preliminary  
139 29 investigation of the death as provided in section 331.802.  
139 30 The cost of the preliminary investigation shall be paid by the  
139 31 department of human services.

CODE: Requires the County Medical Examiner to conduct a preliminary investigation of deaths at State institutions under the control of the DHS. Requires DHS to pay the costs associated with such investigations.

139 32 Sec. 135. Section 222.12, Code 2007, is amended to read as

CODE: Requires the County Medical Examiner to conduct a

139 33 follows:  
 139 34 222.12 DEATHS INVESTIGATED.  
 139 35 1. In the event of a sudden or mysterious death  
 140 1 of a patient of a resource center or the special unit or any  
 140 2 private institution for persons with mental retardation, an , a  
 140 3 preliminary investigation of the death shall be held conducted  
 140 4 as required by section 218.64 by the county medical examiner  
 140 5 as provided in section 331.802 . Such a preliminary  
 140 6 investigation shall also be conducted in the event of a sudden  
 140 7 or mysterious death of a patient in a private institution for  
 140 8 persons with mental retardation. The superintendent of a  
 140 9 resource center or a special unit or chief administrative  
 140 10 officer of any private institution may request an  
 140 11 investigation of the death of any patient by the county  
 140 12 medical examiner.  
 140 13 2. Notice of the death of the patient, and the cause  
 140 14 thereof of death , shall be sent to the county board of  
 140 15 supervisors and to the judge of the court ~~having that~~ had  
 140 16 jurisdiction over a committed patient. The fact of death with  
 140 17 the time, place, and alleged cause shall be entered upon the  
 140 18 docket of the court.  
 140 19 3. The parent, guardian, or other person responsible for  
 140 20 the admission of a patient to such institutions a private  
 140 21 institution for persons with mental retardation may also  
 140 22 request an such a preliminary investigation by the county  
 140 23 medical examiner in the event of the death of the patient that  
 140 24 is not sudden or mysterious . The person or persons making the  
 140 25 request shall be are liable for the expense of such  
 140 26 preliminary investigation and payment therefor for the expense  
 140 27 may be required in advance. The expense of a county medical  
 140 28 examiner's investigation when requested by the superintendent  
 140 29 of a state resource center or a special unit shall be paid  
 140 30 from support funds of that institution.

preliminary investigation of deaths at private institutions for persons with mental retardation.

140 31 Sec. 136. Section 226.34, Code 2007, is amended to read as  
 140 32 follows:  
 140 33 226.34 INVESTIGATION OF DEATH == NOTICE.

CODE: Changes the criteria for the County Medical Examiner to investigate deaths at a Mental Health Institute.

140 34 1. An Upon the death of a patient, the county medical  
140 35 examiner shall conduct a preliminary investigation by the  
141 1 county medical examiner shall be held in those cases where a  
141 2 death shall occur suddenly and without apparent cause, or a  
141 3 patient die and the patient's relatives so request, but in the  
141 4 latter case the relatives making the request shall be liable  
141 5 for the expense of the same, and payment therefor may be  
141 6 required in advance as required by section 218.64, in  
141 7 accordance with section 331.802 .  
141 8 2. When If a patient in any a mental health institute  
141 9 shall die dies from any cause, the superintendent of said the  
141 10 institute shall within three days of the date of death, send  
141 11 by certified mail a written notice of death to all of the  
141 12 following :  
141 13 4- a. The decedent's nearest relative.  
141 14 2- b. The clerk of the district court of the county from  
141 15 which the patient was committed ,and .  
141 16 3- c. The sheriff of the county from which the patient  
141 17 was committed.

141 18 Sec. 137. Section 331.802, subsection 2, Code 2007, is  
141 19 amended to read as follows:

141 20 2. a. If a person's death affects the public interest,  
141 21 the county medical examiner shall conduct a preliminary  
141 22 investigation of the cause and manner of death, prepare a  
141 23 written report of the findings, promptly submit the full  
141 24 report to the state medical examiner on forms prescribed for  
141 25 that purpose, and submit a copy of the report to the county  
141 26 attorney.  
141 27 b. For Except as provided in section 218.64 or as  
141 28 otherwise provided by law, for each preliminary investigation  
141 29 and the preparation and submission of the required reports,  
141 30 the county medical examiner shall receive from the county of  
141 31 appointment a fee determined by the board plus the examiner's  
141 32 actual expenses. The fee and expenses paid by the county of  
141 33 appointment shall be reimbursed to the county of appointment  
141 34 by the county of the person's residence. However, if the

CODE: Conforming language for changes related to death  
investigations at public institutions.



141 35 person's death is caused by a defendant for whom a judgment of  
142 1 conviction and sentence is rendered under section 707.2,  
142 2 707.3, 707.4, 707.5, or 707.6A, the county of the person's  
142 3 residence may recover from the defendant the fee and expenses.  
142 4 c. The fee and expenses of the county medical examiner who  
142 5 performs an autopsy or conducts an investigation of a person  
142 6 who dies after being brought into this state for emergency  
142 7 medical treatment by or at the direction of an out-of-state  
142 8 law enforcement officer or public authority shall be paid by  
142 9 the state. A claim for payment shall be filed with the Iowa  
142 10 department of public health. If moneys are not appropriated  
142 11 to the Iowa department of public health for the payment of  
142 12 autopsies under this ~~subsection~~ paragraph, claims for payment  
142 13 shall be forwarded to the state appeal board and, if  
142 14 authorized by the board, shall be paid out of moneys in the  
142 15 general fund of the state not otherwise appropriated.

142 16 Sec. 138. Section 331.802, subsection 3, Code 2007, is  
142 17 amended by adding the following new paragraph:  
142 18 NEW PARAGRAPH . k. Death of a person committed or admitted  
142 19 to a state mental health institute, a state resource center,  
142 20 the state training school, or the Iowa juvenile home.

CODE: Adds investigations of deaths at public institutions to the duties of County Medical Examiners.

142 21 DIVISION \_  
142 22 HEALTHY KIDS ACT

142 23 Sec. 139. SHORT TITLE. This Act shall be known and may be  
142 24 cited as the "Healthy Kids Act".

Specifies that Sections 140 through 144 are to be cited as the "Healthy Kids Act."

142 25 Sec. 140. Section 256.7, Code Supplement 2007, is amended  
142 26 by adding the following new subsection:  
142 27 NEW SUBSECTION . 29. Adopt rules establishing nutritional  
142 28 content standards for foods and beverages sold or provided on  
142 29 the school grounds of any school district or accredited

CODE: Requires the Board of Education to adopt administrative rules relating to nutritional content standards for foods and beverages sold on school grounds.

142 30 nonpublic school during the school day exclusive of the food  
 142 31 provided by any federal school food program or pursuant to an  
 142 32 agreement with any agency of the federal government in  
 142 33 accordance with the provisions of chapter 283A, and exclusive  
 142 34 of foods sold for fundraising purposes and foods and beverages  
 142 35 sold at concession stands. The standards shall be consistent  
 143 1 with the dietary guidelines for Americans issued by the United  
 143 2 States department of agriculture food and nutrition service.

143 3 Sec. 141. Section 256.9, Code Supplement 2007, is amended  
 143 4 by adding the following new subsections:  
 143 5 NEW SUBSECTION . 57. Convene, in collaboration with the  
 143 6 department of public health, a nutrition advisory panel to  
 143 7 review research in pediatric nutrition conducted in compliance  
 143 8 with accepted scientific methods by recognized professional  
 143 9 organizations and agencies including but not limited to the  
 143 10 institute of medicine. The advisory panel shall submit its  
 143 11 findings and recommendations, which shall be consistent with  
 143 12 the dietary guidelines for Americans published jointly by the  
 143 13 United States department of health and human services and  
 143 14 department of agriculture if in the judgment of the advisory  
 143 15 panel the guidelines are supported by the research findings,  
 143 16 in a report to the state board. The advisory panel may submit  
 143 17 to the state board recommendations on standards related to  
 143 18 federal school food programs if the recommendations are  
 143 19 intended to exceed the existing federal guidelines. The state  
 143 20 board shall consider the advisory panel report when  
 143 21 establishing or amending the nutritional content standards  
 143 22 required pursuant to section 256.7, subsection 29. The  
 143 23 director shall convene the advisory panel by July 1, 2008, and  
 143 24 every five years thereafter to review the report and make  
 143 25 recommendations for changes as appropriate. The advisory  
 143 26 panel shall include but is not limited to at least one Iowa  
 143 27 state university extension nutrition and health field  
 143 28 specialist and at least one representative from each of the  
 143 29 following:  
 143 30 a. The Iowa dietetic association.

CODE: Requires the Director of the Department of Education to  
 convene a nutrition advisory panel for pediatric nutrition research.  
 Requires the panel to submit findings and recommendations to the  
 State Board of Education. Specifies the membership of the advisory  
 panel. Requires the Director of the Department of Education to  
 monitor school districts and accredited nonpublic schools for  
 compliance with the State Board's nutritional content standards.

143 31 b. The school nutrition association of Iowa.  
 143 32 c. The Iowa association of school boards.  
 143 33 d. The school administrators of Iowa.  
 143 34 e. The Iowa chapter of the American academy of pediatrics.  
 143 35 f. A school association representing parents.  
 144 1 g. The Iowa grocery industry association.  
 144 2 h. An accredited nonpublic school.  
 144 3 i. The Iowa state education association.  
 144 4 j. The farm-to-school council established pursuant to  
 144 5 section 190A.2.  
 144 6 NEW SUBSECTION . 58. Monitor school districts and  
 144 7 accredited nonpublic schools for compliance with the  
 144 8 nutritional content standards for foods and beverages adopted  
 144 9 by the state board in accordance with section 256.7,  
 144 10 subsection 29. School districts and accredited nonpublic  
 144 11 schools shall annually make the standards available to  
 144 12 students, parents, and the local community. A school district  
 144 13 or accredited nonpublic school found to be in noncompliance  
 144 14 with the nutritional content standards by the director shall  
 144 15 submit a corrective action plan to the director for approval  
 144 16 which sets forth the steps to be taken to ensure full  
 144 17 compliance.

144 18 Sec. 142. Section 256.11, subsection 6, Code Supplement  
 144 19 2007, is amended to read as follows:  
 144 20 6. a. A pupil is not required to enroll in either  
 144 21 physical education or health courses , or meet the requirements  
 144 22 of paragraph "b" or "c", if the pupil's parent or guardian  
 144 23 files a written statement with the school principal that the  
 144 24 course or activity conflicts with the pupil's religious  
 144 25 belief.  
 144 26 b. (1) All physically able students in kindergarten  
 144 27 through grade five shall be required to engage in a physical  
 144 28 activity for a minimum of thirty minutes per school day.  
 144 29 (2) All physically able students in grades six through  
 144 30 twelve shall be required to engage in a physical activity for  
 144 31 a minimum of one hundred twenty minutes per week. A student

CODE: Permits a pupil in school parent or guardian to file a written statement that the physical education, health course, specified minutes of physical activity per school day, or certification course for cardiopulmonary resuscitation is in conflict with the pupil's religious beliefs. Requires all other students to engage in physical activity for a minimum number of minutes per week depending on the grade the student is enrolled. Requires the Department of Education to develop daily physical activity requirements for incorporation in the educational program. Prohibits a school district or accredited nonpublic school from reducing instructional time for academic courses to meet the physical activity requirements. Requires students not exempted for physical ability or prior certification before completion of the 12th grade to complete a certification course for cardiopulmonary resuscitation.

144 32 participating in an organized and supervised athletic program  
144 33 or non=school=sponsored extracurricular activity which  
144 34 requires the student to participate in physical activity for a  
144 35 minimum of one hundred twenty minutes per week is exempt from  
145 1 the requirements of this subparagraph.  
145 2 (3) The department shall collaborate with stakeholders on  
145 3 the development of daily physical activity requirements and  
145 4 the development of models that describe ways in which school  
145 5 districts and schools may incorporate the physical activity  
145 6 requirement of this paragraph into the educational program. A  
145 7 school district or accredited nonpublic school shall not  
145 8 reduce instructional time for academic courses in order to  
145 9 meet the requirements of this paragraph.  
145 10 c. Every student by the end of grade twelve shall complete  
145 11 a certification course for cardiopulmonary resuscitation. The  
145 12 administrator of a school may waive this requirement if the  
145 13 student is not physically able to successfully complete the  
145 14 training. A student is exempt from the requirement of this  
145 15 paragraph if the student presents satisfactory evidence to the  
145 16 school district or accredited nonpublic school that the  
145 17 student possesses cardiopulmonary resuscitation certification.

145 18 Sec. 143. Section 273.2, Code 2007, is amended by adding  
145 19 the following new subsection:  
145 20 NEW SUBSECTION . 7. The board of an area education agency  
145 21 or a consortium of two or more area education agencies shall  
145 22 contract with one or more licensed dieticians for the support  
145 23 of nutritional provisions in individual education plans  
145 24 developed in accordance with chapter 256B and to provide  
145 25 information to support school nutrition coordinators.

CODE: Requires the area education agency boards to contract with a licensed dietician for support of the nutrition requirements in individual education plans (IEPs) and school nutrition coordinators.

145 26 Sec. 144. DEPARTMENT OF EDUCATION == FITNESS WORKING  
145 27 GROUP. The department of education shall convene a working  
145 28 group comprised of elementary and secondary education and  
145 29 fitness professionals and stakeholders to assist the  
145 30 department in developing daily physical activity opportunities

Requires the Department of Education to convene a working group to develop the physical activity requirements for students. Requires the Department to submit a report to the General Assembly by January 15, 2009.

145 31 and requirements and developing models that describe ways in  
145 32 which school districts and schools may incorporate physical  
145 33 activities for students into the educational program as  
145 34 provided in section 256.11, subsection 6, paragraph "b", as  
145 35 enacted by this Act. The working group shall also develop  
146 1 recommendations for a system of implementation that offers  
146 2 every student the opportunity to become physically active.  
146 3 The department of education shall submit its findings and  
146 4 recommendations, including any recommendations for changes in  
146 5 policy or statute, in a report to the general assembly by  
146 6 January 15, 2009.

146 7 Sec. 145. EFFECTIVE DATE. The section of this division of  
146 8 this Act that amends section 256.11, subsection 6, takes  
146 9 effect July 1, 2009.

Section 142 requiring a written statement for student exemption from certain physical and health course requirements is effective July 1, 2009.

146 10 DIVISION  
146 11 MASS TRANSIT

146 12 Sec. 146. MASS TRANSIT INTERIM COMMITTEE. The legislative  
146 13 council is requested to establish a legislative interim study  
146 14 committee to conduct a comprehensive study of the ways in  
146 15 which mass transit might be employed to provide public  
146 16 transportation services among Iowa communities. The study  
146 17 should include but not be limited to an examination of the  
146 18 following:  
146 19 1. The ways in which the availability of mass transit  
146 20 affects various populations within rural and urban  
146 21 communities. In particular, the study should examine the  
146 22 benefits of mass transit for poor, elderly, and disabled  
146 23 individuals who are unable to drive or cannot afford to own a  
146 24 motor vehicle.  
146 25 2. Any impact that mass transit services among Iowa  
146 26 communities might have on population levels, quality of life,  
146 27 and economic development in urban job centers, smaller

Requests the Legislative Council to establish an interim study committee to study mass transit strategies that might be employed to provide public transportation services among Iowa communities.

146 28 satellite communities, and rural towns.  
146 29 3. The effect of mass transit on statewide greenhouse gas  
146 30 emissions and overall air quality, including the role that  
146 31 mass transit can play in meeting the goals of the Iowa energy  
146 32 independence plan.  
146 33 4. The level of public need for mass transit among Iowa  
146 34 communities, including any specific areas of the state where  
146 35 the need is most immediate.  
147 1 5. The feasibility of expanding mass transit services and  
147 2 the types and combinations of services that might comprise a  
147 3 mass transit system for Iowa.  
147 4 6. The potential costs and possible funding mechanisms for  
147 5 developing and maintaining specific mass transit services.  
147 6 7. The attitudes and habits of Iowans concerning personal  
147 7 transportation. The study should include a component for  
147 8 educating the public about the economic, social, and  
147 9 environmental advantages of mass transit.  
147 10 The committee membership should include ten members  
147 11 representing both political parties and both houses of the  
147 12 general assembly. The committee should consult with the  
147 13 department of transportation, the office of energy  
147 14 independence, the department of human services, local  
147 15 officials, members of the general public who are knowledgeable  
147 16 concerning intercity public transit and passenger rail  
147 17 service, and other interested parties as necessary to  
147 18 accomplish the work of the committee. The committee, if  
147 19 authorized, shall submit a written report of its findings and  
147 20 recommendations to the governor and the general assembly by  
147 21 December 31, 2008.

147 22 SF 2425

147 23 pf/ml/12

## Summary Data

### General Fund

	Actual FY 2007	Estimated FY 2008	Supp-Final Action FY 2008	Est. Net FY 2008	Final Action FY 2009	Final Action v. Est. Net FY 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Health and Human Services	\$ 1,196,179,410	\$ 1,176,532,368	\$ 7,500,000	\$ 1,184,032,368	\$ 1,217,752,903	\$ 33,720,535	
<b>Grand Total</b>	<u><u>\$ 1,196,179,410</u></u>	<u><u>\$ 1,176,532,368</u></u>	<u><u>\$ 7,500,000</u></u>	<u><u>\$ 1,184,032,368</u></u>	<u><u>\$ 1,217,752,903</u></u>	<u><u>\$ 33,720,535</u></u>	

# Health and Human Services

## General Fund

	Actual FY 2007	Estimated FY 2008	Supp-Final Action FY 2008	Est. Net FY 2008	Final Action FY 2009	Final Action v. Est. Net FY 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b><u>Elder Affairs, Department of</u></b>							
Elder Affairs, Department of Aging Programs	\$ 4,328,306	\$ 4,866,698	\$ 0	\$ 4,866,698	\$ 5,251,698	\$ 385,000	PG 1 LN 10
<b>Total Elder Affairs, Department of</b>	<b>\$ 4,328,306</b>	<b>\$ 4,866,698</b>	<b>\$ 0</b>	<b>\$ 4,866,698</b>	<b>\$ 5,251,698</b>	<b>\$ 385,000</b>	
<b><u>Public Health, Department of</u></b>							
Public Health, Department of							
Addictive Disorders	\$ 2,453,890	\$ 2,002,149	\$ 0	\$ 2,002,149	\$ 3,082,149	\$ 1,080,000	PG 3 LN 1
Healthy Children and Families	2,369,438	2,536,913	0	2,536,913	2,636,913	100,000	PG 3 LN 15
Chronic Conditions	1,742,840	1,842,840	0	1,842,840	2,242,840	400,000	PG 4 LN 20
Community Capacity	1,758,147	1,760,532	0	1,760,532	1,760,532	0	PG 5 LN 2
Elderly Wellness	9,233,985	9,233,985	0	9,233,985	9,233,985	0	PG 5 LN 25
Environmental Hazards	626,960	747,960	0	747,960	747,960	0	PG 5 LN 29
Infectious Diseases	1,279,963	1,658,286	0	1,658,286	1,858,286	200,000	PG 6 LN 2
Public Protection	8,232,581	2,845,658	0	2,845,658	3,161,013	315,355	PG 6 LN 14
Resource Management	1,045,407	1,205,933	0	1,205,933	1,205,933	0	PG 7 LN 11
211 Call Centers	0	200,000	0	200,000	0	-200,000	
<b>Total Public Health, Department of</b>	<b>\$ 28,743,211</b>	<b>\$ 24,034,256</b>	<b>\$ 0</b>	<b>\$ 24,034,256</b>	<b>\$ 25,929,611</b>	<b>\$ 1,895,355</b>	
<b><u>Human Services, Department of</u></b>							
Human Services - General Administration							
General Administration	\$ 15,099,888	\$ 16,782,706	\$ 0	\$ 16,782,706	\$ 16,682,067	\$ -100,639	PG 48 LN 24
Human Services - Field Operations							
Child Support Recoveries	\$ 8,502,360	\$ 10,469,844	\$ 0	\$ 10,469,844	\$ 14,951,757	\$ 4,481,913	PG 19 LN 33
Field Operations	60,165,029	66,555,087	0	66,555,087	67,852,732	1,297,645	PG 48 LN 11
<b>Total Human Services - Field Operations</b>	<b>\$ 68,667,389</b>	<b>\$ 77,024,931</b>	<b>\$ 0</b>	<b>\$ 77,024,931</b>	<b>\$ 82,804,489</b>	<b>\$ 5,779,558</b>	
Human Services - Toledo Juvenile Home							
Toledo Juvenile Home	\$ 6,927,794	\$ 7,579,484	\$ 0	\$ 7,579,484	\$ 7,579,484	\$ 0	PG 33 LN 12
Human Services - Eldora Training School							
Eldora Training School	\$ 10,954,842	\$ 11,948,327	\$ 0	\$ 11,948,327	\$ 11,948,327	\$ 0	PG 33 LN 17
Human Services - Cherokee CCUSO							
Civil Commit. Unit for Sex Offenders	\$ 4,971,523	\$ 6,523,524	\$ 0	\$ 6,523,524	\$ 6,720,268	\$ 196,744	PG 47 LN 23



# Health and Human Services

## General Fund

	Actual FY 2007	Estimated FY 2008	Supp-Final Action FY 2008	Est. Net FY 2008	Final Action FY 2009	Final Action v. Est. Net FY 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b>Human Services - Cherokee</b>							
Cherokee MHI	\$ 5,273,361	\$ 5,727,743	\$ 0	\$ 5,727,743	\$ 5,727,743	\$ 0	PG 42 LN 29
<b>Human Services - Clarinda</b>							
Clarinda MHI	\$ 6,409,501	\$ 7,023,073	\$ 0	\$ 7,023,073	\$ 7,323,073	\$ 300,000	PG 43 LN 6
<b>Human Services - Independence</b>							
Independence MHI	\$ 9,358,177	\$ 10,489,724	\$ 0	\$ 10,489,724	\$ 10,495,879	\$ 6,155	PG 43 LN 15
<b>Human Services - Mt Pleasant</b>							
Mt Pleasant MHI	\$ 1,228,549	\$ 1,877,099	\$ 0	\$ 1,877,099	\$ 1,874,721	\$ -2,378	PG 43 LN 21
<b>Human Services - Glenwood</b>							
Glenwood Resource Center	\$ 15,641,388	\$ 19,002,377	\$ 0	\$ 19,002,377	\$ 17,102,330	\$ -1,900,047	PG 43 LN 33
<b>Human Services - Woodward</b>							
Woodward Resource Center	\$ 10,109,976	\$ 13,038,833	\$ 0	\$ 13,038,833	\$ 11,266,164	\$ -1,772,669	PG 44 LN 1

# Health and Human Services

## General Fund

	Actual FY 2007	Estimated FY 2008	Supp-Final Action FY 2008	Est. Net FY 2008	Final Action FY 2009	Final Action v. Est. Net FY 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b>Human Services - Assistance</b>							
Family Investment Program/JOBS	\$ 42,608,263	\$ 42,675,127	\$ 0	\$ 42,675,127	\$ 42,675,127	\$ 0	PG 18 LN 2
Medical Assistance	664,311,610	616,771,820	14,821,954	631,593,774	649,629,269	18,035,495	PG 20 LN 28
Health Insurance Premium Payment	654,568	673,598	0	673,598	566,338	-107,260	PG 28 LN 12
Medical Contracts	14,417,985	13,790,558	0	13,790,558	14,165,550	374,992	PG 28 LN 24
State Children's Health Insurance (hawk-i)	19,703,715	14,871,052	0	14,871,052	13,868,885	-1,002,167	PG 30 LN 2
State Supplementary Assistance	18,710,335	17,210,335	0	17,210,335	18,611,385	1,401,050	PG 29 LN 5
Child Care Assistance	21,801,198	37,875,701	0	37,875,701	41,345,381	3,469,680	PG 31 LN 12
Child and Family Services	80,945,373	88,520,320	0	88,520,320	89,326,628	806,308	PG 33 LN 27
Adoption Subsidy	31,446,063	31,972,681	0	31,972,681	34,168,872	2,196,191	PG 40 LN 32
Family Support Subsidy	1,936,434	1,936,434	0	1,936,434	1,936,434	0	PG 42 LN 5
Connors Training	42,623	42,623	0	42,623	42,623	0	PG 42 LN 19
MI/MR/DD State Cases	12,286,619	11,067,178	0	11,067,178	13,067,178	2,000,000	PG 45 LN 3
MH/DD Community Services	18,017,890	18,017,890	0	18,017,890	18,017,890	0	PG 45 LN 30
MH/DD Growth Factor	38,888,041	36,888,041	0	36,888,041	54,081,310	17,193,269	PG 80 LN 18
Volunteers	109,568	109,568	0	109,568	109,568	0	PG 49 LN 5
Medical Assistance Nursing Facility Reimb.	10,400,000	0	0	0	0	0	
County Suppl. MH/DD Growth	0	12,000,000	0	12,000,000	0	-12,000,000	
County Specific Allowed Growth-GF	52,265	0	0	0	0	0	
Pregnancy Counseling Services	0	0	0	0	200,000	200,000	PG 49 LN 27
Family Planning	0	0	0	0	750,000	750,000	PG 49 LN 12
<b>Total Human Services - Assistance</b>	<b>\$ 976,332,550</b>	<b>\$ 944,422,926</b>	<b>\$ 14,821,954</b>	<b>\$ 959,244,880</b>	<b>\$ 992,562,438</b>	<b>\$ 33,317,558</b>	
<b>Total Human Services, Department of</b>	<b>\$ 1,130,974,938</b>	<b>\$ 1,121,440,747</b>	<b>\$ 14,821,954</b>	<b>\$ 1,136,262,701</b>	<b>\$ 1,172,086,983</b>	<b>\$ 35,824,282</b>	
<b><u>Regents, Board of</u></b>							
<b>Regents, Board of</b>							
University of Iowa - Psychiatric Hospital	\$ 7,043,056	\$ 7,321,954	\$ -7,321,954	\$ 0	\$ 0	\$ 0	
<b>Total Regents, Board of</b>	<b>\$ 7,043,056</b>	<b>\$ 7,321,954</b>	<b>\$ -7,321,954</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	

# Health and Human Services

## General Fund

	Actual FY 2007	Estimated FY 2008	Supp-Final Action FY 2008	Est. Net FY 2008	Final Action FY 2009	Final Action v. Est. Net FY 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b><u>Veterans Affairs, Department of</u></b>							
<b>Veterans Affairs, Department of</b>							
General Administration	\$ 532,651	\$ 863,457	\$ 0	\$ 863,457	\$ 1,163,457	\$ 300,000	PG 9 LN 33
Iowa Veterans Home	15,030,248	16,728,256	0	16,728,256	12,694,154	-4,034,102	PG 10 LN 8
Veterans Trust Fund	4,500,000	500,000	0	500,000	0	-500,000	
Veterans County Grants	1,000,000	750,000	0	750,000	600,000	-150,000	PG 10 LN 22
War Orphans Educational Assistance	27,000	27,000	0	27,000	27,000	0	PG 11 LN 6
Injured Veterans Grant Program	2,000,000	0	0	0	0	0	
Home Ownership Assist. Prog.	2,000,000	0	0	0	0	0	
<b>Total Veterans Affairs, Department of</b>	<b>\$ 25,089,899</b>	<b>\$ 18,868,713</b>	<b>\$ 0</b>	<b>\$ 18,868,713</b>	<b>\$ 14,484,611</b>	<b>\$ -4,384,102</b>	
<b>Total Health and Human Services</b>	<b>\$ 1,196,179,410</b>	<b>\$ 1,176,532,368</b>	<b>\$ 7,500,000</b>	<b>\$ 1,184,032,368</b>	<b>\$ 1,217,752,903</b>	<b>\$ 33,720,535</b>	

## Summary Data

### Other Funds

	Actual FY 2007	Estimated FY 2008	Supp-Final Action FY 2008	Est. Net FY 2008	Final Action FY 2009	Final Action v. Est. Net FY 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Health and Human Services	\$ 331,658,782	\$ 464,358,446	\$ 19,440,211	\$ 483,798,657	\$ 521,455,990	\$ 37,657,333	
<b>Grand Total</b>	<u><u>\$ 331,658,782</u></u>	<u><u>\$ 464,358,446</u></u>	<u><u>\$ 19,440,211</u></u>	<u><u>\$ 483,798,657</u></u>	<u><u>\$ 521,455,990</u></u>	<u><u>\$ 37,657,333</u></u>	

# Health and Human Services

## Other Funds

	Actual FY 2007	Estimated FY 2008	Supp-Final Action FY 2008	Est. Net FY 2008	Final Action FY 2009	Final Action v. Est. Net FY 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b><u>Elder Affairs, Department of</u></b>							
Elder Affairs, Department of							
Elder Affairs Operations-SLTF	\$ 8,324,044	\$ 8,442,707	\$ 0	\$ 8,442,707	\$ 8,442,707	\$ 0	PG 62 LN 25
<b>Total Elder Affairs, Department of</b>	<b>\$ 8,324,044</b>	<b>\$ 8,442,707</b>	<b>\$ 0</b>	<b>\$ 8,442,707</b>	<b>\$ 8,442,707</b>	<b>\$ 0</b>	
<b><u>Public Health, Department of</u></b>							
Public Health, Department of							
Ad. Dis.-Substance Abuse Treatment-GTF	\$ 1,690,000	\$ 2,215,000	\$ 0	\$ 2,215,000	\$ 1,690,000	\$ -525,000	PG 7 LN 32
Ad. Dis.-Gambling Treatment Program-GTF	5,856,571	5,255,285	0	5,255,285	4,780,398	-474,887	PG 8 LN 19
Addictive Disorders-HCTF	0	6,993,754	0	6,993,754	3,195,164	-3,798,590	PG 89 LN 3
Healthy Children and Families-HCTF	0	687,500	0	687,500	667,700	-19,800	PG 90 LN 2
Chronic Conditions-HCTF	0	1,188,981	0	1,188,981	1,164,181	-24,800	PG 90 LN 34
Community Capacity-HCTF	0	2,790,000	0	2,790,000	2,790,000	0	PG 91 LN 17
One-Time Addictive Disorder-GTF	0	0	0	0	525,000	525,000	
<b>Total Public Health, Department of</b>	<b>\$ 7,546,571</b>	<b>\$ 19,130,520</b>	<b>\$ 0</b>	<b>\$ 19,130,520</b>	<b>\$ 14,812,443</b>	<b>\$ -4,318,077</b>	
<b><u>Human Services, Department of</u></b>							
Human Services - General Administration							
FIP-TANF	\$ 33,395,225	\$ 36,890,944	\$ -8,500,000	\$ 28,390,944	\$ 26,101,513	\$ -2,289,431	PG 11 LN 25
Promise Jobs-TANF	15,691,865	14,993,040	0	14,993,040	13,334,528	-1,658,512	PG 11 LN 29
FaDDS-TANF	2,698,675	2,998,675	0	2,998,675	2,998,675	0	PG 12 LN 9
Field Operations-TANF	17,707,495	17,707,495	0	17,707,495	18,507,495	800,000	PG 12 LN 20
General Administration-TANF	3,744,000	3,744,000	0	3,744,000	3,744,000	0	PG 13 LN 2
Local Admin. Cost-TANF	2,189,830	2,189,830	0	2,189,830	2,189,830	0	PG 13 LN 4
State Day Care-TANF	15,756,560	18,986,177	8,500,000	27,486,177	18,986,177	-8,500,000	PG 13 LN 6
MH/DD Comm. Services-TANF	4,894,052	4,894,052	0	4,894,052	4,894,052	0	PG 13 LN 27
Child & Family Services-TANF	32,084,430	32,084,430	0	32,084,430	32,084,430	0	PG 13 LN 30
Child Abuse Prevention-TANF	250,000	250,000	0	250,000	250,000	0	PG 13 LN 32
Training & Technology-TANF	1,037,186	1,037,186	0	1,037,186	1,037,186	0	PG 14 LN 17
HOPES - Transfer to DPH-TANF	200,000	200,000	0	200,000	200,000	0	PG 14 LN 21
0-5 Children-TANF	7,350,000	7,350,000	0	7,350,000	7,350,000	0	PG 14 LN 25
Child Support Recovery-TANF	200,000	200,000	0	200,000	200,000	0	PG 15 LN 1
Child Care Direct Assistance-TANF	0	0	0	0	8,900,000	8,900,000	
<b>Total Human Services - General Administration</b>	<b>\$ 137,199,318</b>	<b>\$ 143,525,829</b>	<b>\$ 0</b>	<b>\$ 143,525,829</b>	<b>\$ 140,777,886</b>	<b>\$ -2,747,943</b>	

# Health and Human Services

## Other Funds

	Actual FY 2007	Estimated FY 2008	Supp-Final Action FY 2008	Est. Net FY 2008	Final Action FY 2009	Final Action v. Est. Net FY 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b>Human Services - Assistance</b>							
Pregnancy Prevention-TANF	\$ 1,930,067	\$ 1,930,067	\$ 0	\$ 1,930,067	\$ 1,930,067	\$ 0	PG 13 LN 34
Medical Supplemental-SLTF	65,000,000	65,000,000	0	65,000,000	111,753,195	46,753,195	PG 64 LN 6
Medical Contracts-Pharmceutical Settle.	379,000	1,323,833	26,000	1,349,833	1,323,833	-26,000	PG 64 LN 30
Broadlawns Hospital-ICA	40,000,000	40,000,000	0	40,000,000	40,000,000	0	PG 66 LN 33
State Hospital-Cherokee-ICA	9,098,425	9,098,425	0	9,098,425	3,164,766	-5,933,659	PG 67 LN 21
State Hospital-Clarinda-ICA	1,977,305	1,977,305	0	1,977,305	687,779	-1,289,526	PG 67 LN 26
State Hospital-Independence-ICA	9,045,894	9,045,894	0	9,045,894	3,146,494	-5,899,400	PG 67 LN 31
State Hospital-Mt Pleasant-ICA	5,752,587	5,752,587	0	5,752,587	2,000,961	-3,751,626	PG 68 LN 1
Medical Examinations-HCTA	556,800	556,800	0	556,800	556,800	0	PG 68 LN 14
Medical Information Hotline-HCTA	150,000	150,000	0	150,000	150,000	0	PG 68 LN 18
Insurance Cost Subsidy-HCTA	1,500,000	0	0	0	0	0	
Health Care Premium Impl.-HCTA	400,000	0	0	0	0	0	
Electronic Medical Records-HCTA	2,000,000	0	0	0	0	0	
Health Partnership Activities-HCTA	550,000	550,000	0	550,000	900,000	350,000	PG 68 LN 21
Audits, Perf. Eval., Studies-HCTA	100,000	400,000	0	400,000	400,000	0	PG 68 LN 24
IowaCare Admin. Costs-HCTA	930,352	930,352	0	930,352	1,132,412	202,060	PG 68 LN 27
Acuity Based ICF-MR Case Mix-HCTA	150,000	0	0	0	0	0	
Provider Incentive Pmt Prog.-HCTA	50,000	0	0	0	0	0	
Dental Home for Children-HCTA	0	1,186,475	0	1,186,475	1,000,000	-186,475	PG 68 LN 29
Mental Health Trans. Pilot-HCTA	0	250,000	0	250,000	250,000	0	PG 69 LN 7
Children's Health Insurance-HCTF	0	8,329,570	0	8,329,570	0	-8,329,570	
Medical Assistance-HCTF	0	99,518,096	0	99,518,096	114,943,296	15,425,200	PG 94 LN 5
MH/MR/DD Growth-HCTF	0	7,592,099	0	7,592,099	7,592,099	0	PG 94 LN 10
County Specific Allowed Growth-PTRF	243,084	0	0	0	0	0	
Juvenile Detention - HITT	0	0	1,000,000	1,000,000	0	-1,000,000	
Tuition Assistance - HCTA	0	0	0	0	500,000	500,000	PG 69 LN 9
Medical Assistance Contingent-HCTA	0	0	2,500,000	2,500,000	0	-2,500,000	
Medical Assistance - PTRF	0	0	0	0	624,000	624,000	PG 70 LN 27
IowaCare Broadlawns Admin-HCTA	0	0	230,000	230,000	230,000	0	PG 69 LN 13
<b>Total Human Services - Assistance</b>	<b>\$ 139,813,514</b>	<b>\$ 253,591,503</b>	<b>\$ 3,756,000</b>	<b>\$ 257,347,503</b>	<b>\$ 292,285,702</b>	<b>\$ 34,938,199</b>	
<b>Total Human Services, Department of</b>	<b>\$ 277,012,832</b>	<b>\$ 397,117,332</b>	<b>\$ 3,756,000</b>	<b>\$ 400,873,332</b>	<b>\$ 433,063,588</b>	<b>\$ 32,190,256</b>	

# Health and Human Services

## Other Funds

	Actual FY 2007 (1)	Estimated FY 2008 (2)	Supp-Final Action FY 2008 (3)	Est. Net FY 2008 (4)	Final Action FY 2009 (5)	Final Action v. Est. Net FY 2008 (6)	Page and Line # (7)
<b><u>Regents, Board of</u></b>							
<b>Regents, Board of</b>							
UIHC Expansion Population-ICA	\$ 10,000,000	\$ 10,000,000	\$ 15,684,211	\$ 25,684,211	\$ 35,969,365	\$ 10,285,154	PG 66 LN 11
Regents UIHC-ICA	27,284,584	27,284,584	0	27,284,584	27,284,584	0	PG 65 LN 11
<b>Total Regents, Board of</b>	<b>\$ 37,284,584</b>	<b>\$ 37,284,584</b>	<b>\$ 15,684,211</b>	<b>\$ 52,968,795</b>	<b>\$ 63,253,949</b>	<b>\$ 10,285,154</b>	
<b><u>Veterans Affairs, Department of</u></b>							
<b>Veterans Affairs, Department of</b>							
Vietnam Veterans Bonus-VTF	\$ 0	\$ 500,000	\$ 0	\$ 500,000	\$ 0	\$ -500,000	
<b>Total Veterans Affairs, Department of</b>	<b>\$ 0</b>	<b>\$ 500,000</b>	<b>\$ 0</b>	<b>\$ 500,000</b>	<b>\$ 0</b>	<b>\$ -500,000</b>	
<b><u>Iowa Finance Authority</u></b>							
<b>Iowa Finance Authority</b>							
Rent Subsidy Program-SLTF	\$ 700,000	\$ 700,000	\$ 0	\$ 700,000	\$ 700,000	\$ 0	PG 64 LN 14
<b>Total Iowa Finance Authority</b>	<b>\$ 700,000</b>	<b>\$ 700,000</b>	<b>\$ 0</b>	<b>\$ 700,000</b>	<b>\$ 700,000</b>	<b>\$ 0</b>	
<b><u>Inspections &amp; Appeals, Department of</u></b>							
<b>Inspections and Appeals, Department of</b>							
Assisted Living/Adult Day Care-SLTF	\$ 790,751	\$ 1,183,303	\$ 0	\$ 1,183,303	\$ 1,183,303	\$ 0	PG 63 LN 25
<b>Total Inspections &amp; Appeals, Department of</b>	<b>\$ 790,751</b>	<b>\$ 1,183,303</b>	<b>\$ 0</b>	<b>\$ 1,183,303</b>	<b>\$ 1,183,303</b>	<b>\$ 0</b>	
<b>Total Health and Human Services</b>	<b>\$ 331,658,782</b>	<b>\$ 464,358,446</b>	<b>\$ 19,440,211</b>	<b>\$ 483,798,657</b>	<b>\$ 521,455,990</b>	<b>\$ 37,657,333</b>	

## Summary Data

FTE

	Actual FY 2007	Estimated FY 2008	Supp-Final Action FY 2008	Est. Net FY 2008	Final Action FY 2009	Final Action v. Est. Net FY 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Health and Human Services	6,481.27	6,972.08	0.00	6,972.08	7,113.60	141.52	
<b>Grand Total</b>	<u>6,481.27</u>	<u>6,972.08</u>	<u>0.00</u>	<u>6,972.08</u>	<u>7,113.60</u>	<u>141.52</u>	



# Health and Human Services

## FTE

	Actual FY 2007	Estimated FY 2008	Supp-Final Action FY 2008	Est. Net FY 2008	Final Action FY 2009	Final Action v. Est. Net FY 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b><u>Elder Affairs, Department of</u></b>							
<b>Elder Affairs, Department of</b>							
Aging Programs	32.11	37.50	0.00	37.50	40.50	3.00	PG 1 LN 10
<b>Total Elder Affairs, Department of</b>	32.11	37.50	0.00	37.50	40.50	3.00	
<b><u>Public Health, Department of</u></b>							
<b>Public Health, Department of</b>							
Addictive Disorders	4.36	4.35	0.00	4.35	6.00	1.65	PG 3 LN 1
Healthy Children and Families	9.15	12.95	0.00	12.95	16.00	3.05	PG 3 LN 15
Chronic Conditions	2.74	4.30	0.00	4.30	5.00	0.70	PG 4 LN 20
Community Capacity	9.49	10.75	0.00	10.75	12.00	1.25	PG 5 LN 2
Environmental Hazards	0.68	1.75	0.00	1.75	2.00	0.25	PG 5 LN 29
Infectious Diseases	4.61	5.75	0.00	5.75	7.00	1.25	PG 6 LN 2
Public Protection	117.16	125.90	0.00	125.90	128.00	2.10	PG 6 LN 14
Resource Management	3.71	9.00	0.00	9.00	10.00	1.00	PG 7 LN 11
Addictive Disorders-HCTF	0.00	4.00	0.00	4.00	5.00	1.00	PG 89 LN 3
Healthy Children and Families-HCTF	0.00	0.50	0.00	0.50	1.00	0.50	PG 90 LN 2
Chronic Conditions-HCTF	0.00	1.00	0.00	1.00	1.00	0.00	PG 90 LN 34
Community Capacity-HCTF	0.00	2.00	0.00	2.00	6.00	4.00	PG 91 LN 17
<b>Total Public Health, Department of</b>	151.90	182.25	0.00	182.25	199.00	16.75	
<b><u>Human Services, Department of</u></b>							
<b>Human Services - General Administration</b>							
General Administration	282.03	353.00	0.00	353.00	407.50	54.50	PG 48 LN 24
<b>Human Services - Field Operations</b>							
Child Support Recoveries	464.90	519.00	0.00	519.00	515.00	-4.00	PG 19 LN 33
Field Operations	1,919.76	2,046.71	0.00	2,046.71	2,130.68	83.97	PG 48 LN 11
<b>Total Human Services - Field Operations</b>	2,384.66	2,565.71	0.00	2,565.71	2,645.68	79.97	
<b>Human Services - Toledo Juvenile Home</b>							
Toledo Juvenile Home	116.42	126.00	0.00	126.00	126.00	0.00	PG 33 LN 12
<b>Human Services - Eldora Training School</b>							
Eldora Training School	189.69	201.95	0.00	201.95	202.70	0.75	PG 33 LN 17

# Health and Human Services

## FTE

	Actual FY 2007	Estimated FY 2008	Supp-Final Action FY 2008	Est. Net FY 2008	Final Action FY 2009	Final Action v. Est. Net FY 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b>Human Services - Cherokee CCUSO</b>							
Civil Commit. Unit for Sex Offenders	74.37	95.15	0.00	95.15	94.50	-0.65	PG 47 LN 23
<b>Human Services - Cherokee</b>							
Cherokee MHI	207.04	214.50	0.00	214.50	210.00	-4.50	PG 42 LN 29
<b>Human Services - Clarinda</b>							
Clarinda MHI	103.64	109.95	0.00	109.95	114.95	5.00	PG 43 LN 6
<b>Human Services - Independence</b>							
Independence MHI	283.25	287.66	0.00	287.66	287.66	0.00	PG 43 LN 15
<b>Human Services - Mt Pleasant</b>							
Mt Pleasant MHI	101.22	116.44	0.00	116.44	116.44	0.00	PG 43 LN 21
<b>Human Services - Glenwood</b>							
Glenwood Resource Center	904.34	938.88	0.00	938.88	938.88	0.00	PG 43 LN 33
<b>Human Services - Woodward</b>							
Woodward Resource Center	712.69	733.64	0.00	733.64	733.64	0.00	PG 44 LN 1
<b>Human Services - Assistance</b>							
Family Investment Program/JOBS	15.33	16.50	0.00	16.50	0.00	-16.50	PG 18 LN 2
Health Insurance Premium Payment	16.76	21.00	0.00	21.00	21.00	0.00	PG 28 LN 12
Medical Contracts	7.47	6.00	0.00	6.00	6.00	0.00	PG 28 LN 24
<b>Total Human Services - Assistance</b>	<u>39.55</u>	<u>43.50</u>	<u>0.00</u>	<u>43.50</u>	<u>27.00</u>	<u>-16.50</u>	
<b>Total Human Services, Department of</b>	<u>5,398.90</u>	<u>5,786.38</u>	<u>0.00</u>	<u>5,786.38</u>	<u>5,904.95</u>	<u>118.57</u>	
<b><u>Veterans Affairs, Department of</u></b>							
<b>Veterans Affairs, Department of</b>							
General Administration	5.08	14.00	0.00	14.00	17.20	3.20	PG 9 LN 33
Iowa Veterans Home	893.27	951.95	0.00	951.95	951.95	0.00	PG 10 LN 8
<b>Total Veterans Affairs, Department of</b>	<u>898.35</u>	<u>965.95</u>	<u>0.00</u>	<u>965.95</u>	<u>969.15</u>	<u>3.20</u>	
<b>Total Health and Human Services</b>	<u>6,481.27</u>	<u>6,972.08</u>	<u>0.00</u>	<u>6,972.08</u>	<u>7,113.60</u>	<u>141.52</u>	